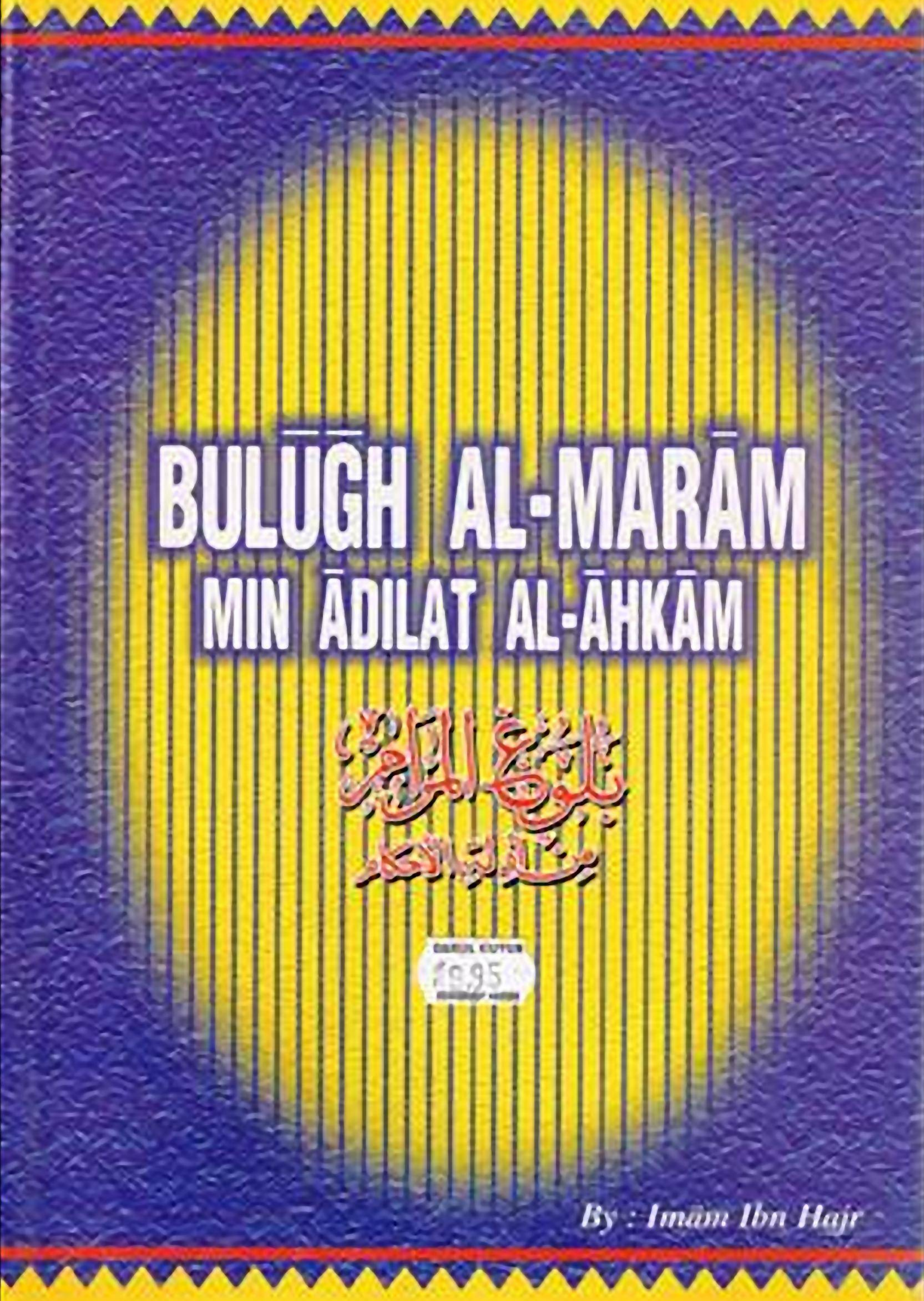
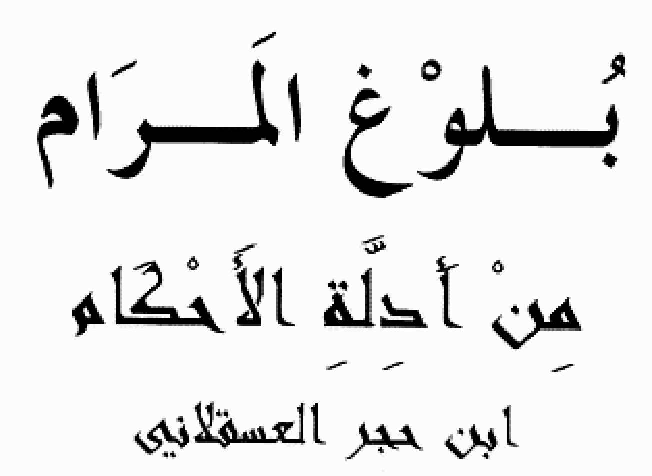

BULŪGH AL-MARĀM
MIN ĀDILAT AL-ĀHKĀM
بلوغ المرام
من أدلة الأحكام
By : Imām Ibn Hajr

# Bulugh Al-Maram
# Min Adillat Al-Ahkâm

*Compiled and referenced by*

IMĀM IBN HAJR
(773 H – 852 H)




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بسم الله الرحمن الرحيم

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# The Author's Introduction

All praise to Allâh, the Almighty for His open and concealed bounties, which He bestows at all times. May the peace and blessings of Allah be upon His final Messenger, his family and companions and all those who strive in the path of Allâh until the Day of Judgment, as well as their followers who inherited their knowledge for indeed the scholars (*Ulamâ'*) are the heirs of the Prophets! May Allâh, the Almighty bless them all and their followers.

This is a concise book comprising of *Hadîth,* which are sources of the *Sharîah.* I have made a meticulous compilation so that the one who memorizes it will excel among his peers. It may assist the beginner and the learned person who is seeking more knowledge.

I have indicated at the end of every *Hadîth* the *Imâm* who collected it. I used the following abbreviations:

The seven *Imâms* refers to: Ahmad[1], Al-Bukhârî[2], Muslim[3], Abû Dawûd[4], At-Tirmidhî[5], An-Nasâ'î[6] and Ibn Mâjah[7].

The six *Imâms* refers to: Al-Bukhârî, Muslim, Abû Dawûd, At-Tirmidhî, An-Nasâ'î and Ibn Mâjah.

The five *Imâms* refers to: Ahmad, Abû Dawûd, At-Tirmidhî, An-Nasâ'î and Ibn Mâjah. They may also be referred to as: The four and Ahmad.

The four *Imâms* refers to: Abû Dawûd, At-Tirmidhî, An-Nasâ'î and Ibn Mâjah.

The three *Imâms* refers to: Abû Dawûd, At-Tirmidhî, An-Nasâ'î.

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1- Ahmad Ibn Hanbal, born in 164 AH and died in Baghdad in 241 AH.
2- Muhammad bin Ismâîl Al-Bukhârî was born in 194 AH and died in Samarqand in 256 AH
3- Born in 204 AH and died in Naisâbor in 161.
4- Sulaimân bin Al-Ashath As-Sagistânî. Born in 202 and died in 275 AH in Al-Basrah.
5- Ahmad bin Shuaib, born in 215 and died 303.
6- Muhammad bin Isâ died in 276b in Tirmidh.
7- Muhmammad bin Yazîd Al-Qazwînî, born in 207 and died in 275 AH.

Agreed upon[8] refers to: Al-Bukhârî and Muslim.

I have called this book: *"Bulûgh al-Marâm min Adillat Al-Ahkâm"* (Attainment of the Objective according to Evidence of the Legal Judgments); and I ask Allâh that what we have learnt may not be a calamity against us. May He guide us to act according to what pleases Him, the Almighty.

8- Agreed upon means: *Ahâdîth* accepted and agreed to by both *Imâms* Al-Bukhârî and Muslim.

# Translator's Introduction

All praise is due to Allâh, the Lord of the Universe. We praise Him, seek His help, and ask His forgiveness. We seek refuge in Allâh from the evil of our souls, and the adverse consequences of our deeds. Whosoever Allâh guides, there is none that can misguide him, and whosoever He misguides, none can guide him.

I bear witness and testify that there is no deity that is worthy of worship except for Allâh, who is alone having no partners. I bear witness and testify that Muhammad ﷺ is His perfect slave and Messenger.

*Bulûgh al-Marâm* is a book, which was written by *Imâm* Ibn Hajar (773 H - 852 H) with the objective of compiling many of the *Ahâdîth* particularly related to the *Ahkâm* (judgments) of Islâmic *Sharî'ah,* i.e. those related to worship, business transactions, laws of marriage and divorce, legal punishments etc. This illustrates the importance of this book for the Muslim reader, who is always in need to know the judgments of *Sharî'ah* related to the essential elements of his life.

Due to the importance of this book, *Imâm* As-San'ânî wrote a very good interpretation of the *Ahâdîth* in *Bulûgh al-Marâm* in his famous book *'Subul as-Salâm."* Needless to say that reading the *Ahâdîth* on their own as they are organized in *'Bulûgh al-Marâm'*, may be confusing sometimes as the reader may find that some of these *Ahâdîth* appear to be contradictory even though they may be of the same grade of authenticity. Therefore, we made use of some of the commentary of *Imâm* As-San'ânî, plus referring to some other books, which are relevant to the interpretation of *Hadîth,* in order to clarify any ambiguity that may arise. Hopefully these footnotes will make it easy for the reader to comprehend the essence of these *Ahkâm* in Islâmic *Sharî'ah* and how they are deduced from the combination of these *Ahâdîth* and the relevant *Qur'ânic* verses.

A glossary has been included to clarify the meaning of some of the terminology used throughout it. Needless to say that this terminology is specifically related to Islâmic concepts of which there is no synonym in English. For this reason they were used in Arabic Transliteration so that the non-Arabic speaking Muslim

reader will become familiar with them, and hopefully such words and expressions will be adopted into everyday speech. One English word could never convey the whole concept and depth of the Arabic term.

*Bulûgh al-Marâm* was previously translated, with good effort by *Dâr al-Fikr* in Syria, but the language of the book required some refining plus there is a need for explanatory footnotes to help in the comprehension and understanding of the *Ahâdîth* as mentioned earlier.

I am deeply grateful to Dr. al-Khushû'î Muhammad al-Khushû'î, who is a scholar of *Hadîth* and its sciences at Al-Azhar University, Faculty of *'Usûl ad-Dîn'*, for his great help with the commentaries included in this edition and his valuable guidance throughout the whole work.

I would like to express my deep gratitude and appreciation to my editor sister Selma Cook, as she is not just a language editor, she reads with the eye and heart of a Muslim who tries to understand, analyze and comment on what she is reading. Her valuable discussions over the content of the book are always a source of inspiration for more valuable additions in explanatory footnotes and in the *Hadîth* text itself. This is very important for editors of such specialized books that could not be edited by someone who does not have a good background in Islâmic knowledge and the interest and desire to understand what they are not familiar with.

Finally, I must say that this remains a human effort which can never achieve perfection, and any comments from the reader will be much appreciated and will be considered Inshâ' Allâh in coming editions. I would like to thank all who helped to publish this book. I pray that Allah, the Almighty accepts our efforts, as sincere deeds are done solely for His sake.

Indeed, any deeds performed without sincerity in Allah's cause are lost and have no value. May Allah guide and keep us all on His straight path.

Translator

***Dr. Nancy Eweiss***
***21/10/2003***

*N.B. What is written between bracksets is used to clarify the meanings of the words in the Hadîth and not part of the text said by the Prophet ﷺ. The words of the Prophet ﷺ are written in bold, as in contrast to what is narrated by the Companions.*

# Glossary

ﷺ: *Peace and blessings of Allâh be upon him.*

***RAA:*** *May Allâh be pleased with him / her.*

***´Asr prayer:*** *Mid-afternoon prayer.*

***The Basmalah: The words:*** *Bismillah–ir-Rahman–ir-Rahîm (In the name of Allâh, the Most Benificient, the Most Merciful), which is said before reading any Sûrah of the Qur'ân, including the.* ***Fâtihah:*** *(the opening chapter of the Qur'ân).*

***Bid´ah:*** *Innovation in religion: in worship or fundamentals.*

***Dhikr:*** *Words and phrases said to remember Allâh, the Almighty and His greatness.*

***Dhuhr prayer:*** *Noon prayer.*

***Diyah:*** *Blood money or indemnity.*

***Fajr prayer:*** *Dawn or early-morning prayer before sunrise.*

***Ghusl:*** *The full ritual washing of the body with water alone – after a legal impurity such as sexual intercourse, to cleanse oneself after menses or post childbirth bleeding has finished. To purify oneself for the purpose of performing prayer. It is also performed for the dead, before they are buried.*

***Hadîth:*** *Prophetic tradition, pl. Ahâdîth.*

***Hadîth Hasan:*** *It is a hadîth reported by a reliable chain of narrators but does not reach the grade of the Hadîth Sahîh, which is rendered thus due to the strong memory of its narrators.*

***Hadîth Mawqûf:*** *is that in which the narration of the companion does not connect to the Prophet ﷺ, so it is restricted to the companion alone.*

***Hadîth Marfû´:*** *is that which is reported with a full chain of narrators, and is connected to the Prophet ﷺ.*

***Hadîth Mu´allaq:*** *is that in which the reporter omits the whole Isnâd and quotes the Prophet ﷺ directly.*

***Hadîth Mursal:*** *is that in which the link between the Successor (Tâbi´î) and the Prophet ﷺ is missing.*

***Hadîth Sahîh:*** *is an authentic Hadîth, which is related by an unbroken chain of narrators, and its reporters are all trustworthy, having good and strong memories.*

***Halâl:*** *lawful.*

***Harâm:*** *unlawful*

***Hudûd:*** *plural of Hadd. It refers to the prescribed penalties (punishments) in Islâmic Sharî´ah.*

***Hukm:*** *a judgment or a legal decision (as specified by Allâh), or a legal opinion, pl.* ***Ahkâm****.*

***´Îd:*** *means a festival. There are two major festivals in Islâm, one at the end of Ramadân* ***(´Îdul Fitr)*** *and the other on the day of sacrifice in Hajj* ***(´Îdul Ad-hâ)****, on the 10th of Dhul Hijjah.*

***´Iddah:*** *the period of time that a woman waits after her divorce or the death of her husband (before remarrying).*

***Ihrâm****: is the intention to perform either Hajj or 'Umrah, or both, as well as a state in which certain practices are prohibited such as wearing sewn garments for men, sexual intercourse, hunting and using perfume (for more details refer to books of Fiqh). Ihrâm also refers to the white garments that men wear when making the intention to perform hajj or ´Umrah which are called the Izâr (the dress worn below one's waist) and the Ridâ' (the cloth worn round the shoulders).*

***Iqâmah:*** *the call to perform prayer, which is said just before the prayer begins.*

***´Ishâ' prayer:*** *night prayer which takes place about one hour and a half after the Maghrib prayer.*

***Isnâd:*** *chain of narrators.*

***Istihâdah:*** *a prolonged flow of blood, which is not a part of the regular menstrual period.*

***Izâr:*** *a waist sheet, which is used to cover the lower part of the body.*

***Janâbah:*** *a state of major ritual impurity, due to sexual intercourse or having a wet dream.*

***Jizyah:*** *poll tax paid by non-Muslims citizens who are staying in a Muslim land, in return for their protection, services provided etc. as they do not participate in fighting the enemy.*

***Junub:*** *a person in a state of major ritual impurity, due to coitus.*

***Khamr:*** *alcoholic drinks, intoxicants, narcotics etc.*

***Khuff:*** *a kind of leather footwear, which covers the foot up to the ankles.*

***Khutbah:*** *a sermon.*

***Maghrib prayer:*** *sunset prayer.*

***Mahram:*** *a male relative of a woman whom she cannot legally marry.*

***Muhrim:*** *a person in a state of Ihrâm.*

***Nâfilah:*** *optional or supererogatory worship in contrast to what is obligatory, but it is recommended or desirable to perform it.* ***pl. Nawâfil***

***Najâsah:*** *an impurity, which Muslims must avoid and cleanse themselves of should it contaminate their clothes, body etc as the presence of such impurity renders their prayer invalid. These impurities include urine, feces, blood and others.*

***Najis:*** *ritually impure.*

***Qiblah:*** *the direction to which all Muslims turn their faces in prayer, which is towards the Ka'bah (al-Masjid al-Harâm) in Makkah.*

***Rabb:*** *Lord of the Universe. The Creator, the Provider, the Sustainer.*

***Rak'ah:*** *pl. Rak'ât. Prayer is made up of several rak'ât, which consists of one standing (while reciting the Qur'ân), one bowing and two acts of prostration.*

***Ribâ:*** *usury.*

***Sadaqah:*** *whatever is given in way of charity. Sometimes the same term is used to refer to the obligatory payment of Zakah.*

***Sadaqatul Fitr:*** *sometimes referred to as Zakat-ul-fitr, which is the obligatory Zakah paid by every Muslim before the ´Îd prayer.*

***Sa´î:*** *going between the mountains of As-Safâ and Marwah seven times while performing the rituals of Hajj or ´Umrah.*

***Salam:*** *buying in advance, which means that the sale of described goods or items to be delivered by the seller to the buyer at a certain time.*

***Sunnah:*** *all the traditions and practices (sayings and actions) of the Prophet ﷺ The Sunnah is the second source of legislation for the Muslims, after the Qur'ân.*

***Tâhir:*** *ritually pure.*

***At-Tahârah: (purification) in Islâmic Sharî'ah it refers to lifting a state of ritual impurity(hadath)removing najâsah.*** *A term, which refers to purifying the body (or one's clothes) from any substance, which is considered impure (Najâsah) that prevents him from performing his prayer. This Tahârah may require washing only the private parts of the body (after going to the toilet), or washing the whole body after sexual intercourse. It could be performed with clean water or with dust in cases where water is not readily available.*

***Talbiyah:*** *prescribed words to be said during pilgrimage. The Prophet ﷺ made his talbiyah using these words: 'Lab-baika Allâh-umma Lab-baik. Lab-baika la-Sharika laka lab-baik ...' (Here I am at Your service, O Allah! You have no partner).*

***Tashahhud:*** *the Testification of faith, which is recited in the final sitting of the prayer.*

***Tawâf:*** *circumambulation around the Ka´bah.*

***'Umrah:*** *a visit to Makkah at any time of the year during which one performs Tawâf around the Ka´bah and Sa´î between the mountains of As-Safâ and Marwah seven times. (Sometimes it is called the minor or the lesser pilgrimage).*

***Walî:*** *in marriage, a walî is the legal guardian of a woman who conducts her marriage, such as her father, her brother, her uncle etc.*

***Wasîlah:*** *means through which one can get closer to Allâh. It also refers to a special status in Paradise reserved for only one servant among the slaves of Allâh. The Prophet ﷺ said,* ***"I hope to be him****(i.e. that servant of Allâh)****and whoever asks Allâh to grant me the status of 'Wasâlah' will be entitled to my intercession on the Day of Judgment."***

***Zakâh:*** *a certain amount of one's property that is to be paid to certain recipients, who are mentioned in detail in the Qur'ân (9:60) under certain conditions. It is obligatory for every free Muslim who possesses any kind of property, which is liable to Zakâh.*

# كتَـــابُ الطَّهَـــارَة

# Book I: Purification (at-Tahârah)

## بَابُ الْمِـــيَـــــاه

## *Chapter I: Water*

١ ـــ عَـــنْ أَبِـــي هُرَيْرَةَ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : قَالَ رَسُولُ اللَّه صَلَّى اللَّهُ عَلَيْه وَسَلَّمَ ، فِي الْبَحْرِ :«هُوَ الطَّهُورُ مَاؤُهُ الْحِلُّ مَيْتَتُهُ». أَخْرَجَهُ الأَرْبَعَةُ ، وَابْنُ أَبِي شَيْبَةَ وَاللَّفْظُ لَهُ ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ وَالتِّرْمِذِيُّ ، [وَرَوَاهُ مَالِكٌ وَالشَّافِعِيُّ وَأَحْمَدُ] .

1. Abû Hurairah (RAA), narrated that the Prophet ﷺ said, **"Concerning the sea, its (the sea) water is pure (suitable for performing ablution) and its dead (animals) are lawful (*Halâl* to eat, without any prescribed slaughtering).** It is related by the four Imâms[9] and Ibn Abî Shaibah (the text mentioned above is his). Ibn Khuzaimah and at-Tirmidhî graded it as *Sahîh* (authentic) [it was also reported by Mâlik, Shâfi'î and Ahmad].

٢ ـــ وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيُّ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : قَالَ رَسُولُ اللَّه صَلَّى اللَّهُ عَلَيْه وَسَلَّمَ : «إِنَّ الْمَاءَ طَهُورٌ لاَ يُنَجِّسُهُ شَيْءٌ». أَخْرَجَهُ الثَّلاَثَةُ ، وَصَحَّحَهُ أَحْمَدُ .

2. Abû Sâ'ib al-Khudrî (RAA), narrated that Allâh's Messenger ﷺ said, **"Water is Tahûr (i.e. pure in itself and it purifies other things) and nothing defiles it[10]."** Related by the three Imâms,[11] and Ahmad graded it as *Sahîh* (authentic).

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9- Abû Dawûd, at-Tirmidhî, an-Nasâ'î and Ibn Mâjah.

10- What is meant by the water in the *Hadîth*, is running water such as that of a river, or spring. It is considered pure, unless its smell, color or taste change by having had something thrown into it, as clarified in the following *Hadîth*.

11- Abû Dawûd, at-Tirmidhî, an-Nasâ'î.

٣ ـــ وَعَـــنْ أَبِي أُمَامَةَ الْبَاهِلِيِّ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَـــيْهِ وَسَلَّمَ : «إِنَّ الْمَاءَ لاَ يُنَجِّسُهُ شَيْءٌ ، إِلاَّ مَا غَلَبَ عَلَى رِيحِهِ وَطَعْمِهِ وَلَوْنِهِ». أَخْرَجَهُ ابْنُ مَاجَهْ ، وَضَعَّفَهُ أَبُو حَاتِمٍ .

3. Narrated Abû Umâmah al-Bâhilî (RAA): Allâh's Messenger ﷺ said, **"Water is not defiled by anything, except for what changes (affects) its smell, taste or color."** Related by Ibn Mâjah, but declared weak by Abû Hâtim.

٤ ـــ وَلِلْبَـــيْهَقِيِّ : «الْمَـــاءُ طَهُـــورٌ إِلاَّ إِنْ تَغَيَّرَ رِيحُهُ ، أَوْ طَعْمُهُ أَوْ لَوْنُهُ ، بِنَجَاسَةٍ تَحْدُثُ فِيهِ».

4. Imâm al-Baihaqî reported (through his chain of narrators): **"Water is *Tahûr* except when its smell, taste or odor is changed by a *Najâsah,* which affects it."**

٥ ـــ وَعَنْ عَبْدِ اللَّهِ بْنِ عُمَرَ – رَضِيَ اللَّهُ عَنْهُمَا – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَـــيْهِ وَسَلَّمَ : «إِذَا كَانَ الْمَاءُ قُلَّتَيْنِ لَمْ يَحْمِلِ الْخَبَثَ» وَفِي لَفْظٍ : «لَمْ يَنْجُسْ». أَخْرَجَهُ الأَرْبَعَةُ ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ وَالْحَاكِمُ وَابْنُ حِبَّانَ .

5. 'Abdullâh Ibn 'Umar (RAA), narrated that Allâh's Messenger ﷺ said, **"Any amount of water that is sufficient to fill two pitchers, is not easily contaminated by impurity (*Najâsah*)."**[12] Another narration says: **"It does not become impure."**

Related by the four Imâms.[13] Ibn Khuzaimah, al-Hâkim and Ibn Hibbân graded it as *Sahîh.*

٦ ـــ وَعَـــنْ أَبِـــي هُرَيْرَةَ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ يَغْتَسِلْ أَحَدُكُمْ فِي الْمَاءِ الدَّائِمِ وَهُوَ جُنُبٌ». أَخْرَجَهُ مُسْلِمٌ .

6. Abû Hurairah (RAA), narrated that the Prophet ﷺ said, **"None of you should wash in stagnant water when he is**

12- Unless this *Najâsah* affects the color, taste or odor of the water.
13- This *Hadîth* is considered weak by most *Hadîth* scholars.

***Junub* (a state of major ritual impurity due to coitus).** Reported by Imâm Muslim.

٧ ــ وَلِلْبُخَارِيِّ : «لاَ يَبُولَنَّ أَحَدُكُمْ فِي الْمَاءِ الدَّائِمِ الَّذِي لاَ يَجْرِي ، ثُمَّ يَغْتَسِلُ فِيهِ».

7. In another narration by al-Bukhârî (of the previous *Hadîth*): The Prophet ﷺ said, **"None of you should urinate into stagnant (water that is not flowing), then wash in the same water."**

٨ ــ وَلِمُسْلِمٍ مِنْهُ ، وَلأَبِي دَاوُدَ : «وَلاَ يَغْتَسِلْ فِيهِ مِنَ الْجَنَابَةِ».

8. In an another narration by Imâm Muslim and Abû Dawûd (of the same *Hadîth*) the Prophet ﷺ said, **"And should not wash in it because of being in a state of *Janâbah* (major impurity due to sexual relations).**

٩ ــ وَعَنْ رَجُلٍ صَحِبَ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «نَهَى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنْ تَغْتَسِلَ الْمَرْأَةُ بِفَضْلِ الرَّجُلِ ، أَوِ الرَّجُلُ بِفَضْلِ الْمَرْأَةِ ، وَلْيَغْتَرِفَا جَمِيعًا». أَخْرَجَهُ أَبُو دَاوُد وَالنَّسَائِيُّ ، وَإِسْنَادُهُ صَحِيحٌ .

9. A man who accompanied the Prophet ﷺ narrated, **"The Messenger of Allâh ﷺ forbade that a woman should wash with the water left over by the man or that the man should wash with the water left over by the woman; and they should use the water (scoop it from the same vessel) together (i.e. at the same time)."** Reported by Abû-Dawûd and an-Nasâ'î with a sound chain of narrators.

١٠ ــ وَعَنْ ابْنِ عَبَّاسٍ – رَضِيَ اللَّهُ عَنْهُمَا – : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ يَغْتَسِلُ بِفَضْلِ مَيْمُونَةَ – رَضِيَ اللَّهُ عَنْهَا – ». أَخْرَجَهُ مُسْلِمٌ .

10. Narrated Ibn 'Abbâs (RAA): **"The Messenger of Allâh ﷺ used to wash with the water left over by Maimûnah (RAA)."** Reported by Muslim.

١١ ـ وَلأَصْحَابِ السُّنَنِ : اغْتَسَلَ بَعْضُ أَزْوَاجِ النَّبِيِّ صَلَّى اللّٰهُ عَلَيْهِ وَسَلَّمَ فِي جَفْنَةٍ ، فَجَاءَ يَغْتَسِلُ مِنْهَا ، فَقَالَتْ : إِنِّي كُنْتُ جُنُبًا فَقَالَ : «إِنَّ الْمَاءَ لاَ يُجْنِبُ». وَصَحَّحَهُ التِّرْمِذِيُّ ، وَابْنُ خُزَيْمَةَ .

11. The authors of the *Sunan*[14] transmitted that one of the wives[15] of the Prophet ﷺ washed from a bowl, and when the Prophet ﷺ came to wash from it (perform ablution or *ghusl*) she said, **"I was *junub* (sexually impure)."** He replied: **"Water does not become impure."** At-Tirmidhî and Ibn Khuzaimah graded it as Sahîh[16].

١٢ ـ وَعَنْ أَبِي هُرَيْرَةَ – رَضِيَ اللّٰهُ عَنْهُ – قَالَ : قَالَ رَسُولُ اللّٰهِ صَلَّى اللّٰهُ عَلَيْهِ وَسَلَّمَ : «طَهُورُ إِنَاءِ أَحَدِكُمْ إِذَا وَلَغَ فِيهِ الْكَلْبُ أَنْ يَغْسِلَهُ سَبْعَ مَرَّاتٍ ، أُولاَهُنَّ بِالتُّرَابِ». أَخْرَجَهُ مُسْلِمٌ ، وَفِي لَفْظٍ لَهُ : «فَلْيُرِقْهُ» وَلِلتِّرْمِذِيِّ : «أُخْرَاهُنَّ ، أَوْ أُولاَهُنَّ».

12. Abû Hurairah (RAA), narrated that the Prophet ﷺ said, **"If a dog laps the water from the utensil of anyone, purify it**

14- The authors of the *Sunan* are: *at-Tirmidhî, Abû-Dawûd, an-Nasâ'î, and Ibn-Mâjah.*(Trans.).

15- Imâm ad-Dârqutnî reported her to be Maimûnah (RAA).

16- Most scholars of Fiqh, are of the opinion that it is permissible for the men to use the water left over by a woman and vice versa whether for *wudû'* (ablution) or *ghusl*, as both al-Bukhârî and Muslim reported on the authority of 'Â'ishah: "I used to wash with the Prophet ﷺ from the same bowl," and also for the *Hadîth* reported above (no. 11). This is also supported by the *Hadîth* reported by Muslim that the Prophet ﷺ used to wash with the water left over by Maimûnah (no. 10). As for *Hadîth* no. 9 forbidding this act, the scholars said that it is not as strong as the other *Ahâdîth,* and even if they are equal in authenticity, it does not really indicate a strict prohibition. Imâm Khattâbî said that what is meant is forbidding men from using the water that she already used and not what is left over (i.e. clean), and some said that it is only preferable not to use what is left over and not actually prohibited, and Allâh knows best. (Trans.)

**(the vessel) by washing it seven times, using earth[17] for the first washing".** Reported by Muslim, with the addition:"**He must spill it[18].**" Imâm at-Tirmidhî also related it with the addition: **"The first or the last (washing)."**

١٣ ـــ وَعَـــنْ أَبِي قَتَادَةَ – رَضِيَ اللَّهُ عَنْهُ – ، أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَـــالَ – فِـــي الْهِـــرَّةِ – : «إِنَّهَا لَيْسَتْ بِنَجَسٍ ، إِنَّمَا هِيَ مِنَ الطَّوَّافِينَ عَلَيْكُمْ». أَخْرَجَهُ الأَرْبَعَةُ ، وَصَحَّحَهُ التِّرْمِذِيُّ ، وَابْنُ خُزَيْمَةَ .

13. Abû Qatâdah (RAA), narrated that Allâh's Messenger ﷺ said concerning cats, **"It is not impure (*Najis*), it is one of those who live among you."** Related by the four Imâms. At-Tirmidhî and Ibn Khuzaimah graded it as *Sahîh*.

١٤ ـــ وَعَنْ أَنَسِ بْنِ مَالِكٍ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : «جَاءَ أَعْرَابِيٌّ فَبَالَ فِي طَائِفَةِ الْمَسْجِدِ ، فَزَجَرَهُ النَّاسُ ، فَنَهَاهُمْ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، فَلَمَّا أَقْضَى بَوْلَهُ أَمَرَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بِذَنُوبٍ مِنْ مَاءٍ ، فَأُهْرِيقَ عَلَيْهِ». مُتَّفَقٌ عَلَيْهِ .

14. Narrated Anas Ibn Mâlik (RAA), "A Bedouin came and started to urinate in one of the corners of the mosque and the people then rebuked him, but the Prophet ﷺ stopped them. When the man had finished, the Prophet ﷺ ordered them to pour a (large) bucket of water over the urine[19]." Agreed upon (Related by al-Bukhârî and Muslim).

١٥ ـــ وَعَـــنِ ابْنِ عُمَرَ – رَضِيَ اللَّهُ عَنْهُمَا – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «أُحِلَّتْ لَنَا مَيْتَتَانِ وَدَمَانِ ، فَأَمَّا الْمَيْتَتَانِ : فَالْجَرَادُ وَالْحُوتُ ، وَأَمَّا الدَّمَانِ :

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17- What is meant by earth here is mixing water with earth until it becomes muddy, and then washing the vessel with this mud the first time, until he is sure that there is no trace of the dog's saliva in the utensil.

18- i.e. the water in the vessel.

19- It must be noted here that the floor of the mosque was sandy, i.e. there were no tiles, so when the water was poured over the urine, it became soaked into the sand and did not remain inside the mosque.

فَالطِّحَالُ وَالْكَبِدُ». أَخْرَجَهُ أَحْمَدُ ، وَابْنُ مَاجَهْ ، وَفِيهِ ضَعْفٌ .

15. Ibn 'Umar (RAA) narrated that Allâh's Messenger ﷺ said, **"Two types of dead animals[20] and two types of blood have been made lawful for us. The two types of dead animals are seafood and locusts, and the two types of blood are(the blood of) the liver and the spleen."** Related by Ahmad and Ibn Mâjah but with a weak chain of narrators.

١٦ ــ وَعَنْ أَبِي هُرَيْرَةَ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا وَقَعَ الذُّبَابُ فِي شَرَابِ أَحَدِكُمْ فَلْيَغْمِسْهُ ، ثُمَّ لِيَنْزِعْهُ ، فَإِنَّ فِي أَحَدِ جَنَاحَيْهِ دَاءً ، وَفِي الآخَرِ شِفَاءً». أَخْرَجَهُ الْبُخَارِيُّ ، وَأَبُو دَاوُدَ ، وَزَادَ : «وَإِنَّهُ يَتَّقِي بِجَنَاحِهِ الَّذِي فِيهِ الدَّاءُ».

16. Narrated Abû Hurairah (RAA): The Prophet ﷺ said, **"If a housefly falls into the drink of anyone of you, he should dip it (all) in the liquid, for one of its wings has the disease, and the other has the cure.[21]"** Bukhârî and Abû Dawûd related it. Abû Dawûd added in his narration, **"It puts forward the one containing the disease.[22]"**

١٧ ــ وَعَنْ أَبِي وَاقِدٍ اللَّيْثِيِّ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : قَالَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَا قُطِعَ مِنَ الْبَهِيمَةِ – وَهِيَ حَيَّةٌ – فَهُوَ مَيِّتٌ». أَخْرَجَهُ أَبُو دَاوُدَ ، وَالتِّرْمِذِيُّ ، وَحَسَّنَهُ ، وَاللَّفْظُ لَهُ .

17. Narrated Abî Wâqid al-Laithy (RAA): The Messenger of Allâh ﷺ said, **"Whatever (any part) is cut off from a live**

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20- Dead here refers to dying from "natural causes," i.e. without the prescribed Islâmic slaughtering.

21- It is not meant in this *Hadîth* that the person must drink the liquid in which the fly has fallen, the Prophet ﷺ is only guiding the Muslims to the way in which to protect themselves from being infected by microbes, should they want to continue drinking after throwing way the fly.

22- i.e. falls in the liquid with the wing containing the disease (the microbes) first.

**animal is considered dead.[23]"** Related by Abû Dawûd and at-Tirmidhî who graded it as *Hasan* and the wording is his.

## بَـــابُ الآنِيَـــةِ

## *Chapter II: Containers and Utensils*

١٨ ــ عَــنْ حُذَيْفَةَ بْنِ الْيَمَانِ - رَضِيَ اللَّهُ عَنْهُمَا - ، قَالَ : قَالَ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ تَشْرَبُوا فِي آنِيَةِ الذَّهَبِ وَالْفِضَّةِ ، وَلاَ تَأْكُلُوا فِي صِحَافِهِمَا ، فَإِنَّهَا لَهُمْ فِي الدُّنْيَا ، وَلَكُمْ فِي الآخِرَةِ». مُتَّفَقٌ عَلَيْهِ .

18. Narrated Abû Hudhaifah Ibn al-Yamân (RAA): The Messenger of Allâh ﷺ said, **"Do not drink from gold and silver vessels, and do not eat from gold and silver dishes, for they (disbelievers) have them in this world but you will have them in the Hereafter."** Agreed upon(i.e. reported by al-Bukhârî and Muslim).

١٩ ــ وَعَنْ أُمِّ سَلَمَةَ - رَضِيَ اللَّهُ عَنْهَا - ، قَالَتْ : قَالَ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «الَّذِي يَشْرَبُ فِي إِنَاءِ الْفِضَّةِ إِنَّمَا يُجَرْجِرُ فِي بَطْنِهِ نَارَ جَهَنَّمَ». مُتَّفَقٌ عَلَيْهِ.

19. Narrated Umm Salamah (RAA): The Messenger of Allâh ﷺ said: **"Whoever drinks from a silver vessel, is but filling his abdomen with Hell fire."** Agreed upon.

٢٠ ــ وَعَــنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - ، قَالَ : قَالَ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا دُبِغَ الإِهَابُ فَقَدْ طَهُرَ». أَخْرَجَهُ مُسْلِمٌ .

20. Narrated Ibn 'Abbâs (RAA): The Messenger of Allâh ﷺ said, **"If the animal's skin is tanned, it becomes pure *(Tâhir)*."** Reported by Muslim.

٢١ ــ وَعِنْدَ الأَرْبَعَةِ : «أَيُّمَا إِهَابٍ دُبِغَ».

21. Narrated the four Imâms:**"Tanning any skin(purifies it)**

23- I.e. this part is considered like an animal, which has not been properly slaughtered, i.e. is dealt with as being *Najâsah* (impurity).

٢٢ ـــ وَعَـــنْ سَلَمَةَ بْنِ الْمُحَبِّقِ - رَضِيَ اللَّهُ عَنْهُ - ، قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «دِبَاغُ جُلُودِ الْمَيْتَةِ طُهُورُهَا». صَحَّحَهُ ابْنُ حِبَّانَ .

22. Narrated Salamah bin al-Muhabbiq (RAA): The Messenger of Allâh ﷺ said, **"Tanning the skin of a dead animal purifies it."** Ibn Hibbân authenticated it.

٢٣ ـــ وَعَـــنْ مَيْمُونَةَ - رَضِيَ اللَّهُ عَنْهَا - ، قَالَتْ : مَرَّ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بِشَاةٍ يَجُرُّونَهَا ، فَقَالَ : «لَوْ أَخَذْتُمْ إِهَابَهَا؟». فَقَالُوا : إِنَّهَا مَيْتَةٌ ، فَقَالَ : «يُطَهِّرُهَا الْمَاءُ وَالْقَرَظُ» . أَخْرَجَهُ أَبُو دَاوُد ، وَالنَّسَائِيُّ .

23. Narrated Maimûnah (RAA): The Prophet ﷺ passed by a dead sheep being dragged along by (some people). Thereupon he said to them, **"Why didn't you make use of its skin?"** They told him, "It is a dead animal (i.e. had died a natural death, without being slaughtered)." He said to them ﷺ, **"Water and the leaves of mimosa flava purify it."** Related by Abû Dawûd and an-Nasâ'î.

٢٤ ـــ وَعَنْ أَبِي ثَعْلَبَةَ الْخُشَنِيِّ - رَضِيَ اللَّهُ عَنْهُ - ، قَالَ : قُلْتُ : يَا رَسُولَ اللَّهِ ، إِنَّا بِأَرْضِ قَوْمٍ أَهْلِ كِتَابٍ ، أَفَنَأْكُلُ فِي آنِيَتِهِمْ ؟ قَالَ : «لاَ تَأْكُلُوا فِيهَا ، إِلاَّ أَنْ لاَ تَجِدُوا غَيْرَهَا ، فَاغْسِلُوهَا ، وَكُلُوا فِيهَا». مُتَّفَقٌ عَلَيْهِ .

24. Narrated Abû Tha'labah al-Khushanî (RAA): I said, "O Messenger of Allâh, we are living in a land belonging to the people of the Book, so can we eat our meals with their utensils?" He replied ﷺ, **"Do not eat from their utensils, but if you cannot obtain utensils other than theirs, wash them and eat out of them."** Agreed upon.

٢٥ ـــ وَعَـــنْ عِمْـــرَانَ بْنِ حُصَيْنٍ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَأَصْحَابَهُ تَوَضَّأُوا مِنْ مَزَادَةِ امْرَأَةٍ مُشْرِكَةٍ». مُتَّفَقٌ عَلَيْهِ ، فِي حَدِيثٍ طَوِيلٍ .

25. Narrated 'Imrân bin Husain (RAA): "The Prophet ﷺ and his companions performed ablution from a water-bag belonging to

an unbelieving woman." (This is a part of a long *Hadîth*). Agreed upon.

٢٦ ـــ وَعَـــنْ أَنَسِ بْنِ مَالِكٍ – رَضِيَ اللَّهُ عَنْهُ – : «أَنَّ قَدَحَ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ انْكَسَرَ ، فَاتَّخَذَ مَكَانَ الشَّعْبِ سِلْسِلَةً مِنْ فِضَّةٍ». أَخْرَجَهُ الْبُخَارِيُّ .

26. Narrated Anas Ibn Mâlik (RAA): "The drinking cup of the Prophet ﷺ was broken, and he mended it with a silver chain..." Related by al-Bukhârî.

## بَـــابُ إِزَالَـــةِ النَّجَاسَـــةِ، وَبَيَانِهَـــا

## *Chapter III: The Cleansing of Najâsah and its nature*

٢٧ ـــ عَنْ أَنَسِ بْنِ مَالِكٍ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : سُئِلَ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ عَنِ الْخَمْرِ ، تُتَّخَذُ خَلاًّ ؟ قَالَ : «لاَ». أَخْرَجَهُ مُسْلِمٌ وَالتِّرْمِذِيُّ ، وَقَالَ : حَسَنٌ صَحِيحٌ.

27. Narrated Anas Ibn Mâlik (RAA): Allâh's Messenger ﷺ was asked about the use of Khamr from which vinegar is prepared. He said, "**No** (it is prohibited)." Related by Muslim and at-Tirmidhî who graded it as *Hasan*.

٢٨ ـــ وَعَنْهُ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : «لَمَّا كَانَ يَوْمُ خَيْبَرَ ، أَمَرَ رَسُولُ اللهِ صَلَّى اللَّـــهُ عَلَـــيْهِ وَسَلَّمَ أَبَا طَلْحَةَ ، فَنَادَى : إِنَّ اللهَ وَرَسُولَهُ يَنْهَيَانِكُمْ عَنْ لُحُومِ الْحُمُرِ الأَهْلِيَّةِ ، فَإِنَّهَا رِجْسٌ». مُتَّفَقٌ عَلَيْهِ .

28. Narrated Anas Ibn Mâlik (RAA): "On the day of Khaibar, the Prophet ﷺ commanded Abû Talhah[24] to make an announcement, so he called out saying, **"Allâh and His Messenger ﷺ prohibit you from eating the flesh of domestic donkeys, for it is considered as *Rijs*[25]** (impure food)." Agreed upon.

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24- He is Zaid Ibn Sahl al-Ansârî, who married Umm Sulaim (the mother of Anas (RAA)), on the condition that he embraces Islâm first.

25- *Rijs* refers to anything which is impure, filthy, abominable etc.

٢٩ ـــ وَعَـــنْ عَمْرِو بْنِ خَارِجَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «خَطَبَنَا النَّبِيُّ صَلَّى اللَّهُ عَلَـــيْهِ وَسَلَّمَ بِمِنًى ، وَهُوَ عَلَى رَاحِلَتِهِ ، وَلُعَابُهَا يَسِيلُ عَلَى كَتِفِي». أَخْرَجَهُ أَحْمَدُ وَالتِّرْمِذِيُّ وَصَحَّحَهُ .

29. Narrated ´Amro Ibn Khârijah (RAA): "The Messenger of Allâh ﷺ addressed us in Mina, while riding his camel and its saliva was flowing onto my shoulder." Ahmad and at-Tirmidhî related it, and the latter authenticated it.

٣٠ ـــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - ، قَالَتْ : «كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــــلَّمَ يَغْسِــــلُ الْمَنِيَّ ، ثُمَّ يَخْرُجُ إِلَى الصَّلاَةِ فِي ذَلِكَ الثَّوْبِ ، وَأَنَا أَنْظُرُ إِلَى أَثَرِ الْغُسْلِ». مُتَّفَقٌ عَلَيْهِ .

30. Narrated ´Â'ishah (RAA): "Allâh's Messenger ﷺ used to wash the semen (off his clothes), and then go out to prayer in the same garment. I used to see the mark of the washing (on his clothes)." Agreed upon.

٣١ ـــ وَلِمُسْــــلِمٍ : «لَقَـــدْ كُنْتُ أَفْرُكُهُ مِنْ ثَوْبِ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَرْكًا، فَيُصَلِّي فِيهِ».

31. In another version narrated by Muslim she said: **"I used to rub it (the semen) off the garment of the Prophet ﷺ, and then he would pray in it."**

٣٢ ـــ وَفِي لَفْظٍ لَهُ : «لَقَدْ كُنْتُ أَحُكُّهُ يَابِسًا بِظُفْرِي مِنْ ثَوْبِهِ».

32. In another version narrated also by Muslim, she said: **"I used to scrape it with my nail from his garment, when it had dried."**

٣٣ ـــ وَعَـــنْ أَبِي السَّمْحِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ : «يُغْسَـــلُ مِنْ بَوْلِ الْجَارِيَةِ ، وَيُرَشُّ مِنْ بَوْلِ الْغُلاَمِ». أَخْرَجَهُ أَبُو دَاوُد ، وَالنَّسَائِيُّ ، وَصَحَّحَهُ الْحَاكِمُ .

33. Narrated Abî as-Samh(RAA)[26]: The Messenger of Allâh ﷺ said, **"The urine of a baby girl should be washed off (one's clothes), while the urine of a baby boy needs only water to be sprinkled over it.[27]"** Related by Abû Dawûd and an-Nasâ'î; al-Hâkim graded it as *Sahîh*.

٣٤ ــ وَعَنْ أَسْمَاءَ بِنْتِ أَبِي بَكْرٍ - رَضِيَ اللَّهُ عَنْهُمَا - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ - فِي دَمِ الْحَيْضِ يُصِيبُ الثَّوْبَ - : «تَحُتُّهُ ، ثُمَّ تَقْرُصُهُ بِالْمَاءِ ، ثُمَّ تَنْضَحُهُ ، ثُمَّ تُصَلِّي فِيهِ». مُتَّفَقٌ عَلَيْهِ .

34. Narrated Asmâ' bint Abî Bakr (RAA): The Messenger of Allâh ﷺ said concerning menstrual blood, when it contaminates one's clothes, **"She should scrape it, rub it with water and sprinkle water over it, and then pray in it."** Agreed upon.

٣٥ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَتْ خَوْلَةُ : يَا رَسُولَ اللَّهِ ، فَإِنْ لَمْ يَذْهَبِ الدَّمُ ؟ قَالَ : «يَكْفِيكِ الْمَاءُ ، وَلاَ يَضُرُّكِ أَثَرُهُ». أَخْرَجَهُ التِّرْمِذِيُّ ، وَسَنَدُهُ ضَعِيفٌ .

35. Narrated Abû Hurairah (RAA): Khawlah asked, "Allâh's Messenger, what if the blood of menses does not (completely) disappear?" He replied,**"Water would be sufficient (to wash it) and there is no harm if a trace (of the blood) remains (on the clothes)."** Related by at-Tirmidhî, with a weak chain of narrators.

## بَابُ الْوُضُوءِ

## *Chapter IV: Ablution (Wudû')*

٣٦ ــ عَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - عَنْ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنَّهُ قَالَ : «لَوْلاَ أَنْ أَشُقَّ عَلَى أُمَّتِي لأَمَرْتُهُمْ بِالسِّوَاكِ مَعَ كُلِّ وُضُوءٍ». أَخْرَجَهُ مَالِكٌ

26- He is a Iâd; the servant of the Prophet ﷺ.

27- This refers only to a male baby that has not yet begun to eat. If he eats food (besides breast milk) then the garment is to be washed."

وَأَحْمَدُ وَالنَّسَائِيُّ ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ ، وَذَكَرَهُ الْبُخَارِيُّ تَعْلِيقًا .

36. Narrated Abû Hurairah (RAA): The Messenger of Allâh ﷺ said, **"If it were not too much of a burden on my nation, I would have ordered them to use the *Siwâk* with every ablution(they perform)."**[28] Related by Ahmad, Mâlik and an-Nasâ'î Ibn Khuzaimah graded it as Sahîh.

٣٧ ـــ وَعَـــنْ حُمْـــرَانَ : «أَنَّ عُثْمَانَ دَعَا بِوَضُوءٍ ، فَغَسَلَ كَفَّيْهِ ثَلاَثَ مَرَّاتٍ ، ثُمَّ تَمَضْـــمَضَ ، وَاسْتَنْشَـــقَ ، وَاسْتَنْثَرَ ، ثُمَّ غَسَلَ وَجْهَهُ ثَلاَثَ مَرَّاتٍ ، ثُمَّ غَسَلَ يَدَهُ الْيُمْـــنَى إِلَى الْمِرْفَقِ ، ثَلاَثَ مَرَّاتٍ ، ثُمَّ الْيُسْرَى مِثْلَ ذَلِكَ ، ثُمَّ مَسَحَ بِرَأْسِهِ ، ثُمَّ غَسَـــلَ رِجْلَهُ الْيُمْنَى إِلَى الْكَعْبَيْنِ ، ثَلاَثَ مَرَّاتٍ ، ثُمَّ الْيُسْرَى مِثْلَ ذَلِكَ ، ثُمَّ قَالَ : رَأَيْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ تَوَضَّأَ نَحْوَ وُضُوئِي هَذَا». مُتَّفَقٌ عَلَيْهِ .

37. Narrated Humrân Ibn Ibbân[29] (RAA): 'Uthmân (RAA) called for *Wudû'* (water to perform ablution). He then washed his hands three times, rinsed his mouth and sniffed water up his nostrils and blew it out. Then he washed his face three times, followed by his right arm up to(and including) the elbow three times, then his left arm up to (and including) the elbow three times. He then wiped his head (with wet hands), and washed his right foot up to (and including) the anklebones three times and then his left foot in the same way. 'Uthmân then said, **"I saw the Prophet ﷺ make *wudû'* (ablution) like this way of mine."** Agreed upon.

٣٨ ـــ وَعَـــنْ عَلِيٍّ - رَضِيَ اللَّهُ عَنْهُ - فِي صِفَةِ وُضُوءِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَـــالَ : «وَمَسَـــحَ بِرَأْسِهِ وَاحِدَةً». أَخْرَجَهُ أَبُو دَاوُدَ ، وَأَخْرَجَهُ التِّرْمِذِيُّ وَالنَّسَائِيُّ بِإِسْنَادٍ صَحِيحٍ ، بَلْ قَالَ التِّرْمِذِيُّ : إِنَّهُ أَصَحُّ شَيْءٍ فِي الْبَابِ .

38. Narrated 'Alî (RAA): regarding the ablution of the Prophet ﷺ, **"He wiped his head once."** Related by Abû Dawûd. at-

28- The *Siwâk* (or the *Miswâk)* is a root taken from a small tree or a shrub called "*al-Arâk*".

29- The slave of 'Uthmân Ibn 'Affân (RAA).

Tirmidhî and an-Nasâ'î also reported it with a sound chain of narrators.

٣٩ ــ وَعَنْ عَبْدِ اللَّهِ بْنِ زَيْدِ بْنِ عَاصِمٍ - رَضِيَ اللَّهُ عَنْهُمَا - فِي صِفَةِ الْوُضُوءِ - قَالَ : «وَمَسَحَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بِرَأْسِهِ ، فَأَقْبَلَ بِيَدَيْهِ وَأَدْبَرَ». مُتَّفَقٌ عَلَيْهِ .

39. Narrated 'Abdullâh bin Zaid bin 'Âsim (RAA): regarding ablution, **"The Prophet ﷺ wiped his head by sliding his hands back and forward again."** Agreed upon.

٤٠ ــ وَفِي لَفْظٍ لَهُمَا : «بَدَأَ بِمُقَدَّمِ رَأْسِهِ ، حَتَّى ذَهَبَ بِهِمَا إِلَى قَفَاهُ ، ثُمَّ رَدَّهُمَا إِلَى الْمَكَانِ الَّذِي بَدَأَ مِنْهُ».

40. In another narration by al-Bukhârî and Muslim: **"He started with the front of his head, moved them (his hands) to the nape of the neck, and then returned them to the place where he started."**

٤١ ــ وَعَنْ عَبْدِ اللَّهِ بْنِ عَمْرٍو - رَضِيَ اللَّهُ عَنْهُمَا - فِي صِفَةِ الْوُضُوءِ - قَالَ : «ثُمَّ مَسَحَ بِرَأْسِهِ ، وَأَدْخَلَ إِصْبَعَيْهِ السَّبَّاحَتَيْنِ فِي أُذُنَيْهِ ، وَمَسَحَ بِإِبْهَامَيْهِ ظَاهِرَ أُذُنَيْهِ». أَخْرَجَهُ أَبُو دَاوُد وَالنَّسَائِيُّ ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ .

41. Narrated 'Abdullâh Ibn 'Amro (RAA): regarding the nature of ablution,**"Then he wiped his head, put his little finger in his ears[30] and wiped the outside of his ears with his thumbs.[31]"** Related by Abû Dawûd and an-Nasâ'î. Ibn Khuzaimah authenticated it.

٤٢ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا اسْتَيْقَظَ أَحَدُكُمْ مِنْ نَوْمِهِ فَلْيَسْتَنْثِرْ ثَلَاثًا ، فَإِنَّ الشَّيْطَانَ يَبِيتُ عَلَى

30- The purpose here is to wipe the entrance of the ear canal with the little finger.

31- In another narration by Ahmad, the Prophet ﷺ wiped the inner part of his ears with his index finger, and the outer portion with his thumb.

خَيْشُومِهِ». مُتَّفَقٌ عَلَيْهِ .

42. Narrated Abû Hurairah (RAA): The Messenger of Allâh ﷺ said,**"When one of you wakes up from sleep he must clear his nose[32] three times, as the devil spends the night in the upper part of his nose.[33]"** Agreed jupon.

٤٣ ـــ وَعَنْهُ : «إِذَا اسْتَيْقَظَ أَحَدُكُمْ مِنْ نَوْمِهِ فَلاَ يَغْمِسْ يَدَهُ فِي الإِنَاءِ حَتَّى يَغْسِلَهَا ثَلاَثًا ، فَإِنَّهُ لاَ يَدْرِي أَيْنَ بَاتَتْ يَدُهُ». مُتَّفَقٌ عَلَيْهِ ، وَهَذَا لَفْظُ مُسْلِمٍ .

43. Narrated Abû Hurairah (RAA): The Messenger of Allâh ﷺ said, **"Whoever wakes up from his sleep, should not dip his hand into a bowl (containing water for ablution) until he has washed it three times, as he does not know where his hand was (during his sleep)."** Related by al-Bukhârî and Muslim, and the wording is Muslim's.

٤٤ ـــ وَعَـــنْ لَقِيطِ بْنِ صَبِرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَـــيْهِ وَسَلَّمَ : «أَسْبِغِ الْوُضُوءَ ، وَخَلِّلْ بَيْنَ الأَصَابِعِ ، وَبَالِغْ فِي الاسْتِنْشَاقِ ، إِلاَّ أَنْ تَكُونَ صَائِمًا». أَخْرَجَهُ الأَرْبَعَةُ ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ .

44. Narrated Laqît bin Sabirah (RAA): The Messenger of Allâh ﷺ said,**"Complete and perfect the ablution, let the water run between the fingers. Use water freely while sniffing it up your nostrils, unless you are fasting."** Related by the four *Imâms*. Ibn Khuzaimah graded it as authentic.

٤٥ ـــ وَلأَبِي دَاوُدَ فِي رِوَايَةٍ : «إِذَا تَوَضَّأْتَ فَمَضْمِضْ».

45. In another version by Abû Dawûd : **" If your perform**

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32- With water as we perform the ablution, i.e. sniffed water up his nostrils and blew it out. In the narration of al-Bukhârî he says, **"When one of you wakes up....... and performs ablution, he should clear .."**

33- This fact is part of the unseen that only Allâh knows, and we can only know it through His Prophet ﷺ. So we believe that the devil actually spends the night in this part of the nose even though we can not perceive how.(Trans.)

**ablution, then rinse your mouth."**

٤٦ ـــ وَعَـــنْ عُثْمَانَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ يُخَلِّلُ لِحْيَتَهُ فِي الْوُضُوءِ». أَخْرَجَهُ التِّرْمِذِيُّ ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ .

46. Narrated 'Uthmân (RAA): the Messenger of Allâh ﷺ would run his fingers through his beard, while making ablution. Related by at-Tirmidhî. Ibn Khuzaimah graded it as Sahîh.

٤٧ ـــ وَعَنْ عَبْدِ اللَّهِ بْنِ زَيْدٍ قَالَ : «إِنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أُتِيَ بِثُلُثَيْ مُدٍّ ، فَجَعَلَ يَدْلُكُ ذِرَاعَيْهِ». أَخْرَجَهُ أَحْمَدُ وَصَحَّحَهُ ابْنُ خُزَيْمَةَ .

47. Narrated 'Abdullâh bin Zaid (RAA): the Prophet ﷺ was brought two thirds of a *Mudd*[34] (of water to perform ablution), and he rubbed his arms. Related by Ahmad and Ibn Khuzaimah graded it as Sahîh.

٤٨ ـــ وَعَـــنْهُ : «أَنَّـــهُ رَأَى النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَأْخُذُ لِأُذُنَيْهِ مَاءً غَيْرَ الْمَاءِ الَّـــذِي أَخَـــذَهُ لِرَأْسِهِ». أَخْرَجَهُ الْبَيْهَقِيُّ ، وَهُوَ عِنْدَ مُسْلِمٍ مِنْ هَذَا الْوَجْهِ بِلَفْظِ : «وَمَسَحَ بِرَأْسِهِ بِمَاءٍ غَيْرِ فَضْلِ يَدَيْهِ ، وَهُوَ الْمَحْفُوظُ».

48. Narrated 'Abdullâh bin Zaid (RAA): he saw the Prophet ﷺ (performing ablution and he) took new water for his ears, apart from that which he had taken for his head. Related by al-Baihaqî. Muslim reported it with the words: **"and he wiped his head with water other than that left over after washing his hands (i.e. new water)."**[35]

٤٩ ـــ وَعَـــنْ أَبِـــي هُرَيْرَةَ قَالَ : سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ : «إِنَّ أُمَّتِي يَأْتُونَ يَوْمَ الْقِيَامَةِ غُرًّا مُحَجَّلِينَ ، مِنْ أَثَرِ الْوُضُوءِ ، فَمَنْ اسْتَطَاعَ مِنْكُمْ أَنْ يُطِيلَ غُرَّتَهُ فَلْيَفْعَلْ». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِمُسْلِمٍ .

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34- A measure of approximately 2/3 of a kilo.

35- It is permissible to wash the ears with the water used for the head, or to use new water for them. This is deduced from all the relevant *Ahâdîth*, which were reported concerning this issue.

49. Narrated Abû Hurairah (RAA): The Messenger of Allâh ﷺ said, **"My nation will come on the Day of Resurrection with bright streaks of light on their foreheads, arms and legs due to the traces of ablution.[36] So, if any of you can lengthen his streaks of light, he should do so."** Related by al-Bukhârî and Muslim and the wording is Muslim's.

٥٠ ــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «كَانَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يُعْجِبُهُ التَّيَمُّنُ فِي تَنَعُّلِهِ ، وَتَرَجُّلِهِ ، وَطُهُورِهِ ، وَفِي شَأْنِهِ كُلِّهِ». مُتَّفَقٌ عَلَيْهِ .

50. Narrated ʿÂ'ishah (RAA): "Allâh's Messenger ﷺ loved to begin with his right side while putting on his sandals, combing his hair, purifying himself, and in all his affairs." Agreed upon.

٥١ ــ وَعَنْ أَبِي هُرَيْرَةَ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا تَوَضَّأْتُمْ فَابْدَأُوا بِمَيَامِنِكُمْ». أَخْرَجَهُ الأَرْبَعَةُ ، وصَحَّحَهُ ابْنُ خُزَيْمَةَ .

51. Narrated Abû Hurairah (RAA): The Messenger of Allâh ﷺ said, **"When you perform ablution, begin with your right side."** Related by the four Imâms. Ibn Khuzaimah graded it as *Sahîh.*

٥٢ ــ وَعَنْ الْمُغِيرَةِ بْنِ شُعْبَةَ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ تَوَضَّأَ ، فَمَسَحَ بِنَاصِيَتِهِ ، وَعَلَى الْعِمَامَةِ وَالْخُفَّيْنِ». أَخْرَجَهُ مُسْلِمٌ .

52. Narrated al-Mughîrah Ibn Shuʿbah (RAA): the Messenger of Allâh ﷺ made ablution and wiped over his forelock, his turban and his socks. Related by Muslim.

٥٣ ــ وَعَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ - رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا - فِي صِفَةِ حَجِّ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ - قَالَ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «ابْدَأُوا بِمَا بَدَأَ اللَّهُ بِهِ». أَخْرَجَهُ النَّسَائِيُّ هَكَذَا بِلَفْظِ الأَمْرِ ، وَهُوَ عِنْدَ مُسْلِمٍ بِلَفْظِ الْخَبَرِ .

53. Narrated Jâbir Ibn ʿAbdullâh (RAA): regarding the *Hajj*

36- This is due to washing more than what is obligatory of the face, arms and legs by washing above the elbows and ankles.

(pilgrimage) of the Prophet ﷺ, the Prophet ﷺ said, **"Begin with what Allâh began with."** Related by an-Nasâ'î and Muslim.

٥٤ ـــ وَعَنْهُ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «كَانَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِذَا تَوَضَّأَ أَدَارَ الْمَاءَ عَلَى مِرْفَقَيْهِ». أَخْرَجَهُ الدَّارَقُطْنِيُّ بِإِسْنَادٍ ضَعِيفٍ .

54. Narrated Jâbir Ibn ´Abdullâh (RAA): "Whenever the Prophet ﷺ performed ablution, he used to let the flow water abundantly over his elbows." Related by ad-Dâraqutnî with a weak chain of narrators.

٥٥ ـــ وَعَـــنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ وُضُوءَ لِمَنْ لَمْ يَذْكُرِ اسْمَ اللَّهِ عَلَيْهِ». أَخْرَجَهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَابْنُ مَاجَهْ ، بِإِسْنَادٍ ضَعِيفٍ .

55. Narrated Abû Hurairah (RAA): The Messenger of Allâh ﷺ said, **"If anyone does not mention the name of Allâh at the beginning of his ablution, he will be considered as if he did not perform *Wudû'* (ablution)."** Related by Ahmad, Abû Dawûd and Ibn Mâjah with a weak chain of narrators.

٥٦ ـــ وَلِلـــتِّرْمِذِيِّ عَنْ سَعِيدِ بْنِ زَيْدٍ ، وَأَبِي سَعِيدٍ نَحْوُهُ ، قَالَ أَحْمَدُ : لاَ يَثْبُتُ فِيهِ شَيْءٌ .

56. At-Tirmidhî reported a similar narration on the authority of Sa´îd Ibn Zaid, and Abû Sa´îd, but Ahmad said that it is not authentic.

٥٧ ـــ وَعَـــنْ طَلْحَةَ بْنُ مُصَرِّفٍ ، عَنْ أَبِيهِ ، عَنْ جَدِّهِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «رَأَيْـــتُ رَسُـــولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَفْصِلُ بَيْنَ الْمَضْمَضَةِ وَالاسْتِنْشَاقِ». أَخْرَجَهُ أَبُو دَاوُدَ ، بِإِسْنَادٍ ضَعِيفٍ .

57. Narrated Talhah bin Musrrif through his father, on the authority of his grandfather[37] (RAA): "I saw the Messenger of Al-

37- He is Ka´b bin ´Amro al-Hamadânî, who is proven to have had companionship of the Prophet ﷺ.

lâh ﷺ distinguish between rinsing his mouth and sniffing water up his nose (i.e. doing one after the other)." Related by Abû Dawûd with a weak chain of narrators.

٥٨ — وَعَنْ عَلِيٍّ - رَضِيَ اللَّهُ عَنْهُ - فِي صِفَةِ الْوُضُوءِ - : «ثُمَّ تَمَضْمَضَ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَاسْتَنْثَرَ ثَلَاثًا ، يُمَضْمِضُ وَيَسْتَنْثِرُ مِنَ الْكَفِّ الَّذِي يَأْخُذُ مِنْهُ الْمَاءَ». أَخْرَجَهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ .

58. Narrated 'Alî (RAA): regarding the ablution of the Prophet ﷺ, "He rinsed his mouth and sniffed water up his nostrils and blew it out three times, rinsing his mouth and clearing the nose with the very same palm by which he had taken water." Related by Abû Dawûd and an-Nasâ'î.

٥٩ — وَعَنْ عَبْدِ اللَّهِ بْنِ زَيْدٍ - فِي صِفَةِ الْوُضُوءِ - : «ثُمَّ أَدْخَلَ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَدَهُ ، فَمَضْمَضَ وَاسْتَنْشَقَ مِنْ كَفٍّ وَاحِدٍ ، يَفْعَلُ ذَلِكَ ثَلَاثًا». مُتَّفَقٌ عَلَيْهِ .

59. Narrated 'Abdullâh bin Zaid (RAA): regarding ablution, "Then he ﷺ inserted his hand (into the bowl), rinsed his mouth and sniffed water up his nostrils using one handful of water, doing this three times." Agreed upon.

٦٠ — وَعَنْ أَنَسٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : رَأَى النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ رَجُلًا، وَفِي قَدَمِهِ مِثْلُ الظُّفُرِ لَمْ يُصِبْهُ الْمَاءُ ، فَقَالَ : «ارْجِعْ فَأَحْسِنْ وُضُوءَكَ». أَخْرَجَهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ .

60. Narrated Anas (RAA): The Messenger of Allâh ﷺ saw a man. There was a spot, much as the size of a nail on his foot, which had been touched by the water (of ablution). The Prophet ﷺ then said to him: **"Go back and perform ablution properly."** Related by Abû Dawûd and an-Nasâ'î.

٦١ — وَعَنْهُ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَتَوَضَّأُ بِالْمُدِّ ، وَيَغْتَسِلُ بِالصَّاعِ ، إِلَى خَمْسَةِ أَمْدَادٍ». مُتَّفَقٌ عَلَيْهِ .

61. Narrated Anas (RAA): The Messenger of Allâh ﷺ used to

perform ablution with a *Mudd*, and perform *Ghusl* with a *S<u>â</u>*,'[38] up to five *Mudds*. Agreed upon.

٦٢ ــ وَعَــنْ عُمَــرَ - رَضِــيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّه صَلَّى اللَّهُ عَلَيْه وَسَــلَّمَ : «مَــا مِنْكُمْ مِنْ أَحَد يَتَوَضَّأُ، فَيُسْبِغُ الْوُضُوءَ ، ثُمَّ يَقُولُ : أَشْهَدُ أَنْ لاَ إِلَهَ إِلاَّ اللَّــهُ وَحْــدَهُ لاَ شَــرِيكَ لَهُ ، وَأَشْهَدُ أَنَّ مُحَمَّدًا عَبْدُهُ وَرَسُولُهُ ، إِلاَّ فُتِحَتْ لَهُ أَبْــوَابُ الْجَــنَّةِ الثَّمَانِيَةُ ، يَدْخُلُ مِنْ أَيِّهَا شَاءَ». أَخْرَجَهُ مُسْلِمٌ وَالتِّرْمِذِيُّ ، وَزَادَ : «اللَّهُمَّ اجْعَلْنِي مِنَ التَّوَّابِينَ ، وَاجْعَلْنِي مِنَ الْمُتَطَهِّرِينَ».

62. Narrated 'Umar (RAA): The Messenger of Allâh ﷺ said, **"If anyone performs ablution, perfectly, then says, 'I testify that none has the right to be worshipped but Allâh, the One Who has no partner, and I testify that Mu<u>h</u>ammad is His servant and His Messenger,' the eight gates of Paradise will be opened for him and he may enter by whichever of them he wishes."** Reported by Muslim and at-Tirmidhî.

## بَــابُ الْمَسْــحِ عَلَــى الْخُفَّيْــنِ

## *Chapter V: Wiping over the Socks (Khuff)*[39]

٦٣ ــ عَــنِ الْمُغِيرَةِ بْنِ شُعْبَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : كُنْتُ مَعَ النَّبِيِّ صَلَّى اللَّهُ عَلَــيْهِ وَسَــلَّمَ ، فَتَوَضَّأَ ، فَأَهْوَيْتُ لأَنْزِعَ خُفَّيْهِ ، فَقَالَ : «دَعْهُمَا ، فَإِنِّي أَدْخَلْتُهُمَا طَاهِرَتَيْنِ» فَمَسَحَ عَلَيْهِمَا. مُتَّفَقٌ عَلَيْهِ .

63. Al-Mughîrah bin Shu'bah (RAA) said: "I was with the Prophet ﷺ (during an expedition). He started to perform ablution and I was about to remove his socks *(the khuff)*, when he said,

38- One *S<u>â</u>'* = 4 *Mudds*, i.e. approximately 3 kg.

39- The "*Khuff*" is leather foot-wear, which covers the ankles. They used to walk in it, with nothing worn on top of it. They also used to pray in this *khuff* after rubbing it in the earth (as will be mentioned in the chapter about prayer)

**"Leave them, for I put them on while I was in a state of purity,[40]"** and he wiped over them." Agreed upon.

٦٤ ــ وَلِلأَرْبَعَــةِ عَــنْهُ إِلاَّ النَّسَائِيَّ : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ مَسَحَ أَعْلَى الْخُفِّ وَأَسْفَلَهُ» ، وَفِي إِسْنَادِهِ ضَعْفٌ .

64. The four Imâms, excluding an-Nasâ'î, reported on the authority of al-Mughîrah bin Shu'bah (RAA), that the Prophet ﷺ wiped over the top and the bottom of his socks. There is a weakness in this chain of narrators.[41]

٦٥ ــ وَعَنْ عَلِيٍّ – رَضِيَ اللَّهُ عَنْهُ – أَنَّهُ قَالَ : «لَوْ كَانَ الدِّينُ بِالرَّأْيِ لَكَانَ أَسْفَلُ الْخُفِّ أَوْلَى بِالْمَسْحِ مِنْ أَعْلاَهُ ، وَقَدْ رَأَيْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَمْسَحُ عَلَى ظَاهِرِ خُفَّيْهِ». أَخْرَجَهُ أَبُو دَاوُدَ بِإِسْنَادٍ حَسَنٍ .

65. 'Alî (RAA) observed, "If religion was based on opinion, the bottom of the socks would take preference for being wiped to the top of the socks *(khuff)*, but I saw Allâh's Messenger ﷺ wiping over the top of his socks." Related by Abû Dawûd with a good *(Hasan)* chain of narrators.

٦٦ ــ وَعَــنْ صَفْوَانَ بْنِ عَسَّالٍ قَالَ : «كَانَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَأْمُرُنَا إِذَا كُــنَّا سَفْرًا : أَنْ لاَ نَنْزِعَ خِفَافَنَا ثَلاَثَةَ أَيَّامٍ وَلَيَالِيَهُنَّ ، إِلاَّ مِنْ جَنَابَةٍ وَلَكِنْ مِنْ غَائِطٍ وَبَوْلٍ وَنَوْمٍ». أَخْرَجَهُ النَّسَائِيُّ وَالتِّرْمِذِيُّ ، وَاللَّفْظُ لَهُ ، وَابْنُ خُزَيْمَةَ وَصَحَّحَاهُ .

66. Narrated Safwân bin 'Assâl: 'The Messenger of Allâh ﷺ used to command us, when we were travelling, not to take off our socks for three days and nights. We did not remove them unless we were in a state of post-sex impurity *(Janâbah)*. We did not remove them on account of relieving ourselves (defecation), passing

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40- I.e. I have already performed ablution and nothing had nullified it, when I put on the *Khuff*.

41- This narration was by the writer of al-Mughîrah, who is considered by the scholars as a weak narrator.

urine or sleeping." Related by an-Nasâ'î and at-Tirmidhî, and the wording is his.[42]

٦٧ ــ وَعَنْ عَلِيٍّ بْنِ أَبِي طَالِبٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «جَعَلَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ثَلاَثَةَ أَيَّامٍ وَلَيَالِيَهُنَّ لِلْمُسَافِرِ ، وَيَوْمًا وَلَيْلَةً لِلْمُقِيمِ - يَعْنِي فِي الْمَسْحِ عَلَى الْخُفَّيْنِ». أَخْرَجَهُ مُسْلِمٌ .

67. Narrated 'Alî (RAA): 'The Messenger of Allâh ﷺ had appointed three days and nights for the traveler, and one day and one night for the resident –i.e. as the period set for the duration of wiping over the *khuff*.' Related by Muslim.

٦٨ ــ وَعَنْ ثَوْبَانَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «بَعَثَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ سَرِيَّةً ، فَأَمَرَهُمْ أَنْ يَمْسَحُوا عَلَى الْعَصَائِبِ - يَعْنِي الْعَمَائِمَ - وَالتَّسَاخِينِ يَعْنِي الْخِفَافَ». رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ ، وَصَحَّحَهُ الْحَاكِمُ .

68. Narrated Thawbân (RAA): Allâh's Messenger ﷺ sent out an expedition. He ordered them to wipe over their turbans and their socks *(Khuff)*. Related by Ahmad and Abû Dawûd and pronounced authentic by al-Hâkim.

٦٩ ــ وَعَنْ عُمَرَ - رَضِيَ اللَّهُ عَنْهُ - مَوْقُوفًا - وَعَنْ أَنَسٍ - مَرْفُوعًا : «إِذَا تَوَضَّأَ أَحَدُكُمْ وَلَبِسَ خُفَّيْهِ فَلْيَمْسَحْ عَلَيْهِمَا ، وَلْيُصَلِّ فِيهِمَا ، وَلاَ يَخْلَعْهُمَا إِنْ شَاءَ إِلاَّ مِنَ الْجَنَابَةِ». أَخْرَجَهُ الدَّارَقُطْنِيُّ ، وَالْحَاكِمُ وَصَحَّحَهُ .

69. Narrated 'Umar (RAA): *(in a Hadîth Mawqûf)*[43], and Anas *(Hadîth Marfû')*[44], **"When any of you performs ablution and puts his socks or *khuff* on, he may wipe over them, offer prayer while wearing them and not take them off, if**

42- Al-Bukhârî said, "There is nothing more authentic than this *Hadîth*, concerning the duration of wiping over the *khuff*."

43- *Hadîth Mawqûf* is that which the companion does not connect to the Prophet ﷺ, so the narration is restricted to the companion alone.

44- *Hadîth Marfû'* is that which is reported with a full chain of narrators, connected to the Prophet ﷺ.

**he so wishes, except in the case of *(Janâbah).*"** Related by ad-Dârqutnî and al-Hâkim graded it as Sahîh .

٧٠ ــ وَعَــنْ أَبِي بَكْرَةَ - رَضِيَ اللَّهُ عَنْهُ - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «أَنَّهُ رَخَّصَ لِلْمُسَافِرِ ثَلاَثَةَ أَيَّامٍ وَلَيَالِيَهُنَّ ، وَلِلْمُقِيمِ يَوْمًا وَلَيْلَةً ، إِذَا تَطَهَّرَ فَلَبِسَ خُفَّيْهِ : أَنْ يَمْسَحَ عَلَيْهِمَا». أَخْرَجَهُ الدَّارَقُطْنِيُّ ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ .

70. Narrated Abû Bakrah (RAA): That ' the Messenger of Allâh ﷺ gave permission for the traveler to wipe over the *khuff* for three days and nights, and for one day and one night for the resident, as long as he was in a state of purity when he put them on.' Related by ad-Dârqutnî and Ibn Khuzaimah graded it as Sahîh

٧١ ــ وَعَنْ أُبَيِّ بْنِ عِمَارَةَ - رَضِيَ اللَّهُ عَنْهُ - أَنَّهُ قَالَ : يَا رَسُولَ اللَّهِ أَمْسَحُ عَلَى الْخُفَّــيْنِ ؟ قَــالَ : «نَعَمْ» ، قَالَ : يَوْمًا ؟ قَالَ : «نَعَمْ» ، قَالَ : وَيَوْمَيْنِ ؟ قَالَ : «نَعَمْ» ، قَالَ : وَثَلاَثَةَ أَيَّامٍ ؟ قَالَ : «نَعَمْ ، وَمَا شِئْتَ». أَخْرَجَهُ أَبُو دَاوُدَا ، وَقَالَ : لَيْسَ بِالْقَوِيِّ .

71. Narrated Abû bin 'Imârah (RAA): that he asked Allâh's Messenger ﷺ, 'O Messenger of Allâh, may we wipe over our socks *(khuff)*?' He replied, **"Yes."** He asked, 'For one day?' He replied ﷺ, **"Yes."** He again asked, 'For two days?' He replied, 'Yes.' He again asked, 'For three days?' He replied, **"Yes and as long as you wish."** Abû Dawûd narrated it saying that it is not a strong Hadîth.

## بَــابُ نَــوَاقِــضِ الْوُضُــوءِ

## *Chapter VI: Nullification of Ablution*

٧٢ ــ عَــنْ أَنَسِ بْنِ مَالِكٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «كَانَ أَصْحَابُ رَسُولِ اللَّهِ صَــلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ - عَلَى عَهْدِهِ - يَنْتَظِرُونَ الْعِشَاءَ حَتَّى تَخْفِقَ رُؤُوسُهُمْ ، ثُمَّ يُصَلُّونَ وَلاَ يَتَوَضَّأُونَ». أَخْرَجَهُ أَبُو دَاوُدَ ، وَصَحَّحَهُ الدَّارَقُطْنِيُّ ، وَأَصْلُهُ فِي مُسْلِمٍ.

72. Narrated Anas Ibn Mâlik (RAA): 'The companions of the

Prophet ﷺ in his lifetime, used to wait for the *Ishâ'* (night) prayer until their heads began to nod (from drowsiness).They would then pray without performing ablution.[45] Related by Abû Dawûd. Ad-Dârqutnî authenticated it and its original narration is found in Sahîh Muslim.[46]

٧٣ ـــ وَعَنْ عَائِشَةَ – رَضِيَ اللَّهُ عَنْهَا – قَالَتْ : جَاءَتْ فَاطِمَةُ بِنْتُ أَبِي حُبَيْشٍ إِلَى النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَتْ : يَا رَسُولَ اللَّهِ ، إِنِّي امْرَأَةٌ أُسْتَحَاضُ فَلاَ أَطْهُرُ ، أَفَأَدَعُ الصَّلاَةَ ؟ قَالَ : «لاَ ، إِنَّمَا ذَلِكِ عِرْقٌ ، وَلَيْسَ بِحَيْضٍ ، فَإِذَا أَقْبَلَتْ حَيْضَتُكِ فَدَعِي الصَّلاَةَ ، وَإِذَا أَدْبَرَتْ فَاغْسِلِي عَنْكِ الدَّمَ ثُمَّ صَلِّي». مُتَّفَقٌ عَلَيْهِ .

73. Narrated 'Â'ishah (RAA): Fâtimah bint Abî Hubaish came to the Messenger of Allâh ﷺ and said, "I am a woman who has a prolonged flow of blood *(Istihâdah)*, and I am never purified from this blood,[47] shall I abandon prayer?' He replied ﷺ, '**No, that is only a vein and not menstrual blood. If it is your menstrualtion, then leave the prayer, and if it is other than that then wash yourself from the blood, and pray.**"[48] Agreed upon.

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45- I.e. They would not repeat ablution, due to dozing off, as they were firmly seated on the floor.

46- The narration of Muslim is, "(The people) stood up for the *'Ishâ'*, when a man came saying: I am in need of something. The Prophet ﷺ started to speak with him privately, in a low voice till people dozed off, or some of them (dozed off), and then they got up for prayer." In the narration of al-Baihaqî, "They had to be woken up for prayer, as they had slept, to the extent that one could hear some of them snoring." In the narration of at-Tirmidhî, "I saw the companions of the Prophet ﷺ sleeping to the extent that one could hear some of them snoring. But they would stand for prayer without a new ablution."

47- I.e. The blood never stops flowing.

48- In another narration by Abû Dawûd, an-Nasâ'î and Ibn Hibbân, the Prophet ﷺ said to her, "**If it is the blood of menstruation it will be dark (almost black) and recognizable (by women). If it is that then leave the prayer. If it is other than that, then make ablution and pray, for it is only due to a vein.**"

٧٤ ــ وَلِلْبُخَارِيِّ : «ثُمَّ تَوَضَّئِي لِكُلِّ صَلاَةٍ» ، وَأَشَارَ مُسْلِمٌ إِلَى أَنَّهُ حَذَفَهَا عَمْدًا .

74. In another narration by al-Bukhârî, the Prophet ﷺ said to her, **"Make ablution for every prayer."**

٧٥ ــ وَعَنْ عَلِيِّ بْنِ أَبِي طَالِبٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : كُنْتُ رَجُلاً مَذَّاءً فَأَمَرْتُ الْمِقْدَادَ أَنْ يَسْأَلَ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَسَأَلَهُ ، فَقَالَ : «فِيهِ الْوُضُوءُ». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِلْبُخَارِيِّ .

75. ´Alî bin Abî Tâlib (RAA) said: 'I used to pass *madhî*[49], so I asked al-Miqdâd to ask the Prophet ﷺ, about it. He asked him, then he replied, **"One must perform ablution** (due to its excretion)." Related by al-Bukhârî and Muslim and the wordings are al-Bukhârî's.

٧٦ ــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَبَّلَ بَعْضَ نِسَائِهِ ، ثُمَّ خَرَجَ إِلَى الصَّلاَةِ وَلَمْ يَتَوَضَّأْ». أَخْرَجَهُ أَحْمَدُ وَضَعَّفَهُ الْبُخَارِيُّ .

76. Narrated ´Â'ishah (RAA): "The Messenger of Allâh kissed one of his wives, and then went out to prayer without performing ablution." Ahmad related it, but al-Bukhârî reported it to be a weak *Hadîth*.

٧٧ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا وَجَدَ أَحَدُكُمْ فِي بَطْنِهِ شَيْئًا ، فَأَشْكَلَ عَلَيْهِ : أَخَرَجَ مِنْهُ شَيْءٌ ، أَمْ لاَ ؟ فَلاَ يَخْرُجَنَّ مِنَ الْمَسْجِدِ حَتَّى يَسْمَعَ صَوْتًا أَوْ يَجِدَ رِيحًا». أَخْرَجَهُ مُسْلِمٌ .

77. Narrated Abû Hurairah (RAA): Allâh's Messenger ﷺ said, **"If one of you felt some disturbance in his stomach and was not certain if he had released any wind or not, he should not leave the mosque unless he hears a sound or smells something. "** Related by Muslim.

49- A white sticky fluid that flows from the sexual organs because of thinking about sexual intercourse or foreplay, etc..

٧٨ ـــ وَعَنْ طَلْقِ بْنِ عَلِيٍّ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : قَالَ رَجُلٌ : مَسَسْتُ ذَكَرِي ، أَوْ قَالَ : الرَّجُلُ يَمَسُّ ذَكَرَهُ فِي الصَّلاَةِ ، أَعَلَيْهِ الْوُضُوءُ ؟ فَقَالَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ ، إِنَّمَا هُوَ بَضْعَةٌ مِنْكَ». أَخْرَجَهُ الْخَمْسَةُ ، وَصَحَّحَهُ ابْنُ حِبَّانَ ، وَقَالَ ابْنُ الْمَدِينِي : هُوَ أَحْسَنُ مِنْ حَدِيثِ بُسْرَةَ .

78. Narrated Talq bin 'Alî (RAA): "A man said, 'I touched my penis,' or the narrator said: 'If a man touches his penis during the prayer, does he have to perform ablution (in this case)?" The Prophet ﷺ said, **"No, for it is just a part of you."** Reported by the five Imâms[50] and Ibn Hibbân who graded it as *Sahîh*.

٧٩ ـــ وَعَنْ بُسْرَةَ بِنْتُ صَفْوَانَ – رَضِيَ اللَّهُ عَنْهَا – أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «مَنْ مَسَّ ذَكَرَهُ فَلْيَتَوَضَّأْ». أَخْرَجَهُ الْخَمْسَةُ ، وَصَحَّحَهُ التِّرْمِذِيُّ وَابْنُ حِبَّانَ ، وَقَالَ الْبُخَارِيُّ : هُوَ أَصَحُّ شَيْءٍ فِي هَذَا الْبَابِ .

79. Busrah bint Safwân (RAA) said: The Messenger of Allâh ﷺ said,**"Whoever touches his penis must perform ablution."** Related by the five Imâms and was it declared authentic by at-Tirmidhî and Ibn Hibbân. Al-Bukhârî said: It is the most authentic tradition on this topic[51].

٨٠ ـــ وَعَنْ عَائِشَةَ – رَضِيَ اللَّهُ عَنْهَا – أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «مَنْ أَصَابَهُ قَيْءٌ أَوْ رُعَافٌ ، أَوْ قَلَسٌ ، أَوْ مَذْيٌ فَلْيَتَوَضَّأْ ، ثُمَّ لِيَبْنِ عَلَى

50- Ahmad, Abû Dawûd, at-Tirmidhî, an-Nasâ'î and Ibn Mâjah.

51- The consensus of the scholars is that touching the private parts without a barrier (clothes etc..) requires performing ablution The Hanafî school is of the opinion that it does not require ablution according to the *Hadîth* of Talq. But the *Hadîth* of Busrah is stronger as it was authenticated by many Imâms and was narrated through different chains of narrators. So the opinion of the majority of scholars is the preferred one, as they said that the *Hadîth* of Busrah was narrated later than the first one in Madînah and is known by a greater number of the Companions. The touching which nullifies ablution is that which is done with the palm of the hand or with the fingers, not that which is done with a nail, the back of a hand or an arm.

صَلاتِهِ ، وَهُوَ فِي ذَلِكَ لاَ يَتَكَلَّمُ». أَخْرَجَهُ ابْنُ مَاجَهْ ، وَضَعَّفَهُ أَحْمَدُ وَغَيْرُهُ .

80. Narrated 'Â'ishah (RAA): Allâh's Messenger ﷺ said, **"If anyone suffers from vomiting, nose bleeding, regurgitation or *madhî* (during the prayer) he must perform ablution, then resume his prayer, (provided) that he did not talk (in the interval between leaving the prayer and resuming it.)"** Related by Ibn Mâjah, but Ahmad and others declared it to be a weak *Hadîth*.[52]

٨١ ــ وَعَنْ جَابِرِ بْنِ سَمُرَةَ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ رَجُلاً سَأَلَ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : أَتَوَضَّأُ مِنْ لُحُومِ الْغَنَمِ ؟ قَالَ : «إِنْ شِئْتَ» ، قَالَ : أَتَوَضَّأُ مِنْ لُحُومِ الإِبِلِ ؟ قَالَ : «نَعَمْ». أَخْرَجَهُ مُسْلِمٌ .

81. Narrated Jâbir bin Saumrah (RAA): "A man asked the Prophet ﷺ, 'Should we perform ablution after eating mutton?' He said, **'If you wish(make ablution).'** The man then asked 'Should we make ablution after eating camel meat?' He said, **'Yes.'** Related by Muslim.

٨٢ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ غَسَّلَ مَيِّتًا فَلْيَغْتَسِلْ ، وَمَنْ حَمَلَهُ فَلْيَتَوَضَّأْ». أَخْرَجَهُ أَحْمَدُ وَالنَّسَائِيُّ وَالتِّرْمِذِيُّ وَحَسَّنَهُ ، وَقَالَ أَحْمَدُ : لاَ يَصِحُّ فِي هَذَا الْبَابِ شَيْءٌ .

82. Narrated Abû Hurairah (RAA): The Prophet ﷺ said, **"Anyone who washed a dead person (made *ghusl* for him) must bathe himself, and he who carries him must perform ablution."** Related by Ahmad, an-Nasâ'î and at-Tirmidhî, but

52- This *Hadîth* is not actually connected to the Prophet ﷺ, but was narrated on the authority of Ibn Juraij on the authority of his father (one of the Successors ***'Tâbi'î')***. Therefore the scholars said that it is *Hadîth mursal* ***(that in which the link between the Successor (Tâbi'î) and the Prophet ﷺ is missing)***, and that it is a mistake to link the chain to 'Â'ishah (RAA) as she did not narrate it. The scholars are of the opinion that in this case he should re-perform his *Wudû'* and repeat his prayer.

Ahmad said that none of the traditions related in this topic are authentic.[53]

٨٣ ــ وَعَنْ عَبْدِ اللَّهِ بْنِ أَبِي بَكْرٍ - رَضِيَ اللَّهُ عَنْهُ - : أَنَّ فِي الْكِتَابِ الَّذِي كَتَبَهُ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لِعَمْرِو بْنِ حَزْمٍ : «أَنْ لاَ يَمَسَّ الْقُرْآنَ إِلاَّ طَاهِرٌ». رَوَاهُ مَالِكٌ مُرْسَلاً ، وَوَصَلَهُ النَّسَائِيُّ ، وَابْنُ حِبَّانَ ، وَهُوَ مَعْلُولٌ .

83. Narrated ´Abdullâh bin Abû Bakr (RAA): In the letter which was written by Allâh's Messenger to ´Amro bin Hazm, **"None should touch the Qur'ân except one who is (ritually) pure (i.e. *Tâhir*)."** Narrated by Mâlik as a *Hadîth* mursal.

٨٤ ــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَذْكُرُ اللَّهَ عَلَى كُلِّ أَحْيَانِهِ». رَوَاهُ مُسْلِمٌ ، وَعَلَّقَهُ الْبُخَارِيُّ .

84. Narrated ´Â'ishah (RAA): Allâh's Messenger ﷺ used to mention Allâh's Name and (make *dhikr*) under all circumstances. Related by Muslim.

٨٥ ــ وَعَــنْ أَنَسِ بْنِ مَالِكٍ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ احْتَجَمَ وَصَلَّى ، وَلَمْ يَتَوَضَّأْ». أَخْرَجَهُ الدَّارَقُطْنِيُّ ، وَلَيَّنَهُ .

85. Narrated Anas Ibn Mâlik (RAA): Allâh's Messenger ﷺ had himself cupped and then prayed without (renewing) his ablution. Narrated by ad-Dârqutnî, who declared it to be weak.

٨٦ ــ وَعَــنْ مُعَاوِيَــةَ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «الْعَيْنُ وِكَاءُ السَّهِ ، فَإِذَا نَامَتِ الْعَيْنَانِ اسْتَطْلَقَ الْوِكَاءُ». رَوَاهُ أَحْمَدُ وَالطَّبَرَانِيُّ .

86. Narrated Mu´âwiyah: Allâh's Messenger ﷺ said, **"The eye is the leather strap of the anus, and when the eyes sleep the leather strap is loosened."** Related by Ahmad and at-Tabarânî.

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53- The consensus of the scholars is that washing a dead person, does not require ablution as the Ahâdîth mentioned here are weak.

٨٧ ــ وَزَادَ : «وَمَنْ نَامَ فَلْيَتَوضَّأْ» ، وَهَذِهِ الزِّيَادَةُ فِي هَذَا الْحَدِيثِ عِنْدَ أَبِي دَاوُدَ مِنْ حَدِيثِ عَلِيٍّ دُونَ قَوْلِهِ : «اسْتَطْلَقَ الْوِكَاءِ» ، وَفِي كِلاَ الإِسْنَادَيْنِ ضَعْفٌ .

87. He added (i.e. at-Tabarânî),**"So whoever sleeps should perform ablution."** This addition was declared weak by Abû Dawûd on the authority of ´Alî, but without his saying, **"The leather strap is loosened."** The chain of narrators for both this *Hadîth* and the previous one, is weak.

٨٨ ــ وَلأَبِي دَاوُدَ أَيْضًا عَنْ ابْنِ عَبَّاسٍ – رَضِيَ اللَّهُ عَنْهُمَا – مَرْفُوعًا : «إِنَّمَا الْوُضُوءُ عَلَى مَنْ نَامَ مُضْطَجِعًا». وَفِي إِسْنَادِهِ ضَعْفٌ أَيْضًا .

88. Abû Dawûd transmitted on the authority of Ibn ´Abbâs (RAA): **"Ablution is obligatory for the one who sleeps lying down."** This *Hadîth* also has a weak chain of narrators.

٨٩ ــ وَعَنِ ابْنِ عَبَّاسٍ – رَضِيَ اللَّهُ عَنْهُمَا – أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «يَأْتِي أَحَدَكُمْ الشَّيْطَانُ فِي صَلاَتِهِ ، فَيَنْفُخُ فِي مَقْعَدَتِهِ فَيُخَيَّلُ إِلَيْهِ أَنَّهُ أَحْدَثَ ، وَلَمْ يُحْدِثْ ، فَإِذَا وَجَدَ ذَلِكَ فَلاَ يَنْصَرِفْ حَتَّى يَسْمَعَ صَوْتًا ، أَوْ يَجِدَ رِيحًا». أَخْرَجَهُ الْبَزَّارُ .

89. Narrated Ibn ´Abbâs (RAA): Allâh's Messenger ﷺ said, **"The devil comes to one of you while he is praying, and blows in his posterior, so he doubts that he has broken his ablution (due to releasing wind) but actually he has not. So if anyone experiences this feeling, he should not leave his prayer unless he hears a sound or smells something."** Related by al-Bazzâr.

٩٠ ــ وَأَصْلُهُ فِي الصَّحِيحَيْنِ مِنْ حَدِيثِ عَبْدِ اللَّهِ بْنِ زَيْدٍ .

90. The previous *Hadîth* is supported by a narration originally mentioned in al-Bukhârî and Muslim on the authority of ´Abdullâh Ibn Zaid.[54]

54. Narrated ´Abbâd Ibn Tamîm: "My uncle (´Abdullâh Ibn Zaid) asked Allâh's Messenger ﷺ about a person who imagined that he had passed

٩١ ـــ وَلِمُسْلِمٍ عَنْ أَبِي هُرَيْرَةَ – رَضِيَ اللَّهُ عَنْهُ – نَحْوُهُ .

91. Muslim transmitted something to the same effect on the authority of Abû Hurairah (*Hadîth* no. 77).

٩٢ ـــ وَلِلْحَاكِمِ عَنْ أَبِي سَعِيدٍ مَرْفُوعًا : «إِذَا جَاءَ أَحَدَكُمُ الشَّيْطَانُ ، فَقَالَ : إِنَّكَ أَحْدَثْتَ ، فَلْيَقُلْ : كَذَبْتَ». وَأَخْرَجَهُ ابْنُ حِبَّانَ بِلَفْظِ : «فَلْيَقُلْ فِي نَفْسِهِ».

92. Al-Hâkim transmitted on the authority of Abû Sa'îd al-Khudrî (RAA): that the Messenger of Allâh ﷺ said, **"If the devil whispered to any one of you and said: You have broken your ablution (you have passed wind), you must say: You told a lie."** Ibn Hibbân related the *Hadîth* with the wordings, **"He must say to himself: This is a lie."**

## بَـــابُ آدَابِ قَضَـــاءِ الْحَاجَـــةِ

## *Chapter VII: Etiquettes of Relieving oneself (going to the bathroom)*

٩٣ ـــ عَـــنْ أَنَسِ بْنِ مَالِكٍ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : «كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِذَا دَخَلَ الْخَلَاءَ وَضَعَ خَاتَمَهُ». أَخْرَجَهُ الأَرْبَعَةُ ، وَهُوَ مَعْلُولٌ .

93. Narrated Anas Ibn Mâlik (RAA): "When Allâh's Messenger ﷺ went to the privy, he used to take off his ring.[55]" Reported by the four Imâms, but it has a defect (in its chain of narrators).[56]

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wind during the prayer. Allâh's Messenger ﷺ replied: **"He should not leave his prayer unless he hears a sound or smells something."**

55- The ring was engraved with *Muhammad Rasûl-ullâh* (Muhammad is the Messenger of Allâh), so he used to remove it ﷺ as it is not proper to carry something that has Allâh's name upon it while using to the bathroom.

56- It was narrated by Hammâm Ibn Juraij on the authority of Az-Zuharî on the authority of Anas, and its chain of narrators is trustworthy, but Ibn Juraij did not actually hear this *Hadîth* from az-Zuharî, but heard it from Zaid bin Sa'd who heard it from az-Zuharî.

٩٤ ـــ وَعَـــنْهُ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : كَانَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِذَا دَخَلَ الْخَلاَءَ قَالَ : «اللَّهُمَّ إِنِّي أَعُوذُ بِكَ مِنَ الْخُبُثِ وَالْخَبَائِثِ». أَخْرَجَهُ السَّبْعَةُ .

94. Narrated Anas Ibn Mâlik (RAA): "Whenever Allâh's Messenger ﷺ entered the privy, he used to say, **"O Allâh, I seek refuge in You from male and female devils."** Related by the seven Imâms.[57]

٩٥ ـــ وَعَنْ أَنَسٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَدْخُلُ الْخَلاَءَ ، فَأَحْمِلُ أَنَا وَغُلاَمٌ نَحْوِي إِدَاوَةً مِنْ مَاءٍ وَعَنَزَةً ، فَيَسْتَنْجِي بِالْمَاءِ». مُتَّفَقٌ عَلَيْهِ .

95. Narrated Anas Ibn Mâlik (RAA): "Whenever Allâh's Messenger ﷺ entered the privy, I along with another boy used to bring him a tumbler full of water and a spear-headed stick. He would cleanse himself with water." Agreed upon.

٩٦ ـــ وَعَنِ الْمُغِيرَةِ بْنِ شُعْبَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ لِي النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «خُذِ الإِدَاوَةَ». فَانْطَلَقَ حَتَّى تَوَارَى عَنِّي ، فَقَضَى حَاجَتَهُ . مُتَّفَقٌ عَلَيْهِ .

96. Narrated al-Mughîrah Ibn Shu'bah (RAA): The Messenger of Allâh ﷺ said to me, **"Take the tumbler of water away."** He went off where I could not see him, and he would then relieve himself." Agreed upon.

٩٧ ـــ وَعَـــنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «اتَّقُوا اللَّعَّانَيْنِ : الَّذِي يَتَخَلَّى فِي طَرِيقِ النَّاسِ ، أَوْ ظِلِّهِمْ». رَوَاهُ مُسْلِمٌ .

97. Narrated Abû Hurairah (RAA): The Prophet ﷺ said, **"Beware of the two acts which cause others to curse: relieving yourself in the people's walkways or in their shade."** Related by Muslim.

57- Ahmad, al-Bukhârî, Muslim, Abû Dawûd, at-Tirmidhî, an-Nasâ'î and Ibn Mâjah.

٩٨ ــ وَزَادَ أَبُــو دَاوُدَ ، عَــنْ مُعَاذ – رَضِيَ اللَّهُ عَنْهُ – : «وَالْمَوَارِدَ». وَلَفْظُهُ : «اتَّقُوا الْمَلاَعِنَ الثَّلاَثَةَ : الْبَرَازَ فِي الْمَوَارِدِ ، وَقَارِعَةِ الطَّرِيقِ ، وَالظِّلِّ».

98. Abû Dawûd added to the above narration, on the authority of Mu´âdh (RAA), **"And the waterways."** Its wordings are: **"Beware of the three acts which cause others to curse: relieving oneself in the waterways, in the middle of the road and in the places of shade."**

٩٩ ــ وَلأَحْمَدَ عَنِ ابْنِ عَبَّاسٍ : «أَوْ نَقْعِ مَاءٍ» ، وَفِيهِمَا ضَعْفٌ .

99. Ahmad transmitted on the authority of Ibn ´Abbâs, **"Or in a swamp of water."** Both this narration and the previous one are declared as weak.

١٠٠ ــ وَأَخْــرَجَ الطَّبَرَانِيُّ : «النَّهْيَ عَنْ قَضَاءِ الْحَاجَةِ تَحْتَ الأَشْجَارِ الْمُثْمِرَةِ ، وَضِفَّةِ النَّهْرِ الْجَارِي». مِنْ حَدِيثِ ابْنِ عُمَرَ بِسَنَدٍ ضَعِيفٍ .

100. At-Tabarânî also narrated on the authority of Ibn ´Umar (with a weak chain of narrators), the prohibition of relieving oneself under fruit trees and beside the bank of a flowing river.

١٠١ ــ وَعَــنْ جَابِــرٍ قَــالَ : قَالَ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا تَغَوَّطَ الــرَّجُلاَنِ فَلْيَتَوَارَ كُلُّ وَاحِدٍ مِنْهُمَا عَنْ صَاحِبِهِ ، وَلاَ يَتَحَدَّثَا ، فَإِنَّ اللَّهَ يَمْقُتُ عَلَى ذَلِكَ». رَوَاهُ أَحْمَدُ ، وَصَحَّحَهُ ابْنُ السَّكَنِ ، وَابْنُ الْقَطَّانِ ، وَهُوَ مَعْلُولٌ .

101. Narrated Jâbir (RAA): The Messenger of Allâh ﷺ said, **"When two men go to relieve themselves(in the same place) everyone should hide himself from his companion and not converse together, for Allâh detests this."** Related by Ahmad, Ibn as-Sakan and Ibn al-Qattân authenticated it, but it has a defect in its chain of narrators.

١٠٢ ــ وَعَــنْ أَبِي قَتَادَةَ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : قَالَ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ يَمَسَّنَّ أَحَدُكُمْ ذَكَرَهُ بِيَمِينِهِ وَهُوَ يَبُولُ ، وَلاَ يَتَمَسَّحْ مِنَ الْخَلاَءِ بِيَمِينِهِ ، وَلاَ يَتَنَفَّسْ فِي الآنَاءِ» مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِمُسْلِمٍ .

102. Narrated Abû Qatâdah (RAA): Allâh's Messenger ﷺ said,

**"None of you should touch his penis with his right hand when passing urine, or wipe himself with his right hand after relieving himself, and he must not breathe into the vessel (while drinking)."** Related by al-Bukhârî and Muslim, and the wording is Muslim's.

١٠٣ ــ وَعَنْ سَلْمَانَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : لَقَدْ نَهَانَا رَسُولُ اللَّه صَلَّى اللَّهُ عَلَيْه وَسَلَّمَ : «أَنْ نَسْتَقْبِلَ الْقِبْلَةَ بِغَائِطٍ أَوْ بَوْلٍ ، أَوْ أَنْ نَسْتَنْجِيَ بِالْيَمِينِ ، أَوْ أَنْ نَسْتَنْجِيَ بِأَقَلَّ مِنْ ثَلاَثَةِ أَحْجَارٍ ، أَوْ أَنْ نَسْتَنْجِيَ بِرَجِيعٍ ، أَوْ عَظْمٍ». رَوَاهُ مُسْلِمٌ .

103. Narrated Salmân (RAA): "The Messenger of Allâh ﷺ forbade us from facing the *Qiblah* (direction of the prayer towards the *Ka'bah)* while relieving ourselves or passing urine, from cleaning ourselves with our right hand, and from cleaning ourselves with less than three stones. We also should not use an impure substance (such as dung) or bones to clean ourselves." Related by Muslim.

١٠٤ ــ وَلِلسَّبْعَةِ عَنْ أَبِي أَيُّوبَ الأَنْصَارِيِّ - رَضِيَ اللَّهُ عَنْهُ - : «وَلاَ تَسْتَقْبِلُوا الْقِبْلَةَ ، وَلاَ تَسْتَدْبِرُوهَا بِغَائِطٍ أَوْ بَوْلٍ ، وَلَكِنْ شَرِّقُوا أَوْ غَرِّبُوا».

104. The seven Imâms reported on the authority of Abû Aiyûb al-Ansârî (RAA):**"When one of you relieves himself, he should neither face the *Qiblah* nor turn his back on it, but turn towards the East or the West."**

١٠٥ ــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : إِنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «مَنْ أَتَى الْغَائِطَ فَلْيَسْتَتِرْ». رَوَاهُ أَبُو دَاوُدَ .

105. Narrated 'Â'ishah (RAA): Allâh's Messenger ﷺ said, **"If anyone goes to relieve himself, he should hide himself from others."** Transmitted by Abû Dawûd.

١٠٦ ــ وَعَنْهَا : أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ إِذَا خَرَجَ مِنَ الْغَائِطِ قَالَ : «غُفْرَانَكَ». أَخْرَجَهُ الْخَمْسَةُ ، وَصَحَّحَهُ أَبُو حَاتِمٍ وَالْحَاكِمُ .

106. Narrated 'Â'ishah (RAA): When Allâh's Messenger ﷺ came out from the privy, he used to say, **"O Allâh I seek Your**

**forgiveness."** Related by the five Imâms. Abû Hâtim and al-Hâkim graded it as *Sahîh.*

١٠٧ ــ وَعَنِ ابْنِ مَسْعُودٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : أَتَى النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ الْغَائِطَ ، فَأَمَرَنِي أَنْ آتِيَهُ بِثَلَاثَةِ أَحْجَارٍ ، فَوَجَدْتُ حَجَرَيْنِ ، وَلَمْ أَجِدْ ثَالِثًا ، فَأَتَيْتُهُ بِرَوْثَةٍ ، فَأَخَذَهُمَا وَأَلْقَى الرَّوْثَةَ ، وَقَالَ : «هَذَا رِجْسٌ - أَوْ رِكْسٌ». أَخْرَجَهُ الْبُخَارِيُّ ، وَزَادَ أَحْمَدُ وَالدَّارَقُطْنِيُّ : «ائْتِنِي بِغَيْرِهَا».

107. Narrated Ibn Mas´ûd: 'The Prophet ﷺ went to relieve himself and commanded me to bring three stones; I found two stones but could not find a third, so I brought a piece of dried dung. He took the stones and threw away the dung, and said, **"This is *Rijs*** (anything which is impure, filthy, abominable)." Related by al-Bukhârî. Ahmad and ad-Dârqutnî added, **"Bring me another one** (instead of the dung)."

١٠٨ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «إِنَّ رَسُولَ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ نَهَى أَنْ يُسْتَنْجَى بِعَظْمٍ ، أَوْ رَوْثٍ» ، وَقَالَ : «إِنَّهُمَا لَا يُطَهِّرَانِ». رَوَاهُ الدَّارَقُطْنِيُّ وَصَحَّحَهُ .

108. Narrated Abû Hurairah (RAA): The Prophet ﷺ prohibited that one cleans his private parts with bones or dung and said, **"Neither of them purify."** Related by ad-Dârqutnî who graded it as *Sahîh.*

١٠٩ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ — قَالَ : قَالَ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «اسْتَنْزِهُوا مِنَ الْبَوْلِ ، فَإِنَّ عَامَّةَ عَذَابِ الْقَبْرِ مِنْهُ». رَوَاهُ الدَّارَقُطْنِيُّ .

109. Narrated Abû Hurairah (RAA): The Prophet ﷺ said, **"Keep yourselves clean from (any traces) of urine, for it is the cause of most of the punishment of the grave."** Related by ad-Dârqutnî.

١١٠ ــ وَلِلْحَاكِمِ : «أَكْثَرُ عَذَابِ الْقَبْرِ مِنَ الْبَوْلِ». وَهُوَ صَحِيحُ الإِسْنَادِ .

110. Al-Hâkim transmitted with a sound chain of narrators: **"Most of the punishment of the grave is bacause of urine."**

١١١ ــ وَعَنْ سُرَاقَةَ بْنِ مَالِكٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «عَلَّمَنَا رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فِي الْخَلاَءِ أَنْ نَقْعُدَ عَلَى الْيُسْرَى ، وَنَنْصِبَ الْيُمْنَى». رَوَاهُ الْبَيْهَقِيُّ بِسَنَدٍ ضَعِيفٍ .

111. Narrated Surâqah bin Mâlik (RAA): Allâh's Messenger ﷺ taught us, when in the privy, to sit on the left (foot while squatting) while propping up the right one." Related by al-Baihaqî with a weak chain of narrators.

١١٢ ــ وَعَنْ عِيسَى بْنِ يَزْدَادَ عَنْ أَبِيهِ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا بَالَ أَحَدُكُمْ فَلْيَنْتُرْ ذَكَرَهُ ثَلاَثَ مَرَّاتٍ». رَوَاهُ ابْنُ مَاجَهْ بِسَنَدٍ ضَعِيفٍ.

112. Narrated 'Isâ bin Yazdâd on the authority of his father (RAA): The Prophet ﷺ said, **"When any of you passes urine, he must pull his penis three times."** Related by Ibn Mâjah with a weak chain of narrators.

١١٣ ــ وَعَنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ سَأَلَ أَهْلَ قُبَاءٍ ، فَقَالَ : «إِنَّ اللَّهَ يُثْنِي عَلَيْكُمْ» ، فَقَالُوا : إِنَّا نُتْبِعُ الْحِجَارَةَ الْمَاءَ . رَوَاهُ الْبَزَّارُ بِسَنَدٍ ضَعِيفٍ ، وَأَصْلُهُ فِي أَبِي دَاوُدَ .

113. Narrated Ibn 'Abbâs (RAA): 'The Messenger of Allâh ﷺ asked the people of Qibâ', **"Allâh is praising you!"** They replied, 'We use water to cleanse ourselves after using stones.' Al-Bazzâr related it with a weak chain of narrators.

١١٤ ــ وَصَحَّحَهُ ابْنُ خُزَيْمَةَ مِنْ حَدِيثِ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - بِدُونِ ذِكْرِ الْحِجَارَةِ .

114. Ibn Khuzaimah declared the aforementioned *Hadîth* authentic, through the narration of Abû Hurairah, but without mentioning the stones.

# بَـــابُ الْغُسْـــلِ وَحُكْـــمُ الْجُنُـــبْ

## *Chapter VIII: The full ritual ablution (al-Ghusl) and the Hukm (ordinance) of the person in a state of major ritual impurity (Junub)*

١١٥ ـــ عَـــنْ أَبِي سَعِيدِ الْخُدْرِيِّ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّه صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «الْمَاءُ مِنَ الْمَاءِ». رَوَاهُ مُسْلِمٌ ، وَأَصْلُهُ فِي الْبُخَارِيِّ .

115. Narrated Abû Sa'îd al-Khudrî (RAA): Allâh's Messenger ﷺ said, **"Water (washing ) is (obligatory) after (ejaculation of) sperm."** Related by Muslim. The full narration of this *Hadîth* is found in al-Bukhârî.

١١٦ ـــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّه صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ :«إِذَا جَلَسَ بَيْنَ شُعَبِهَا الأَرْبَعِ ، ثُمَّ جَهَدَهَا ، فَقَد وَجَبَ الْغُسْلُ». مُتَّفَقٌ عَلَيْه.

116. Narrated Abû Hurairah (RAA): The Prophet ﷺ said, **"When anyone sits between the four parts of her body (arms and legs, of his wife) and exerts himself (has intercourse with her), bathing (*Ghusl*) becomes obligatory (for both)."** Agreed upon.

١١٧ ـــ وَزَادَ مُسْلِمٌ : «وَإِنْ لَمْ يُنْزِلْ».

117. Muslim added (to the above narration),**"Even if he does not emit fluid."**

١١٨ ـــ وَعَنْ أَنَسٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّه صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فِي الْمَرْأَةِ تَرَى فِي مَنَامِهَا مَا يَرَى الرَّجُلُ - : «تَغْتَسِلُ». مُتَّفَقٌ عَلَيْهِ .

118. Narrated Anas Ibn Mâlik (RAA): Allâh's Messenger ﷺ said –concerning a woman who has a wet dream as the man has, **"She must perform *Ghusl*.[58]"** Agreed upon.

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58- The Prophet ﷺ said this as an answer to Umm Sulaim, who asked, 'Does a woman have to perform *ghusl* if she has a wet dream?' He said ﷺ, **"Yes, if she sees the liquid (sexual fluid) ."**

١١٩ ـــ زَادَ مُسْلِمٌ : فَقَالَتْ أُمُّ سَلَمَةَ : وَهَلْ يَكُونُ هَذَا ؟ قَالَ : «نَعَمْ ، فَمِنْ أَيْنَ يَكُونُ الشَّبَهُ ؟».

119. Muslim added (to the above narration), Umm Salamah then said,'Does a woman have sexual dreams?' He replied ﷺ,**"Yes she does, how does her child resemble her?"**

١٢٠ ـــ وَعَنْ عَائِشَةَ – رَضِيَ اللَّهُ عَنْهَا – قَالَتْ : «كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَغْتَسِلُ مِنْ أَرْبَعٍ : مِنَ الْجَنَابَةِ ، وَيَوْمَ الْجُمُعَةِ ، وَمِنَ الْحِجَامَةِ ، وَمِنْ غُسْلِ الْمَيِّتِ». رَوَاهُ أَبُو دَاوُدَ ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ .

120. Narrated ´Â'ishah (RAA): 'Allâh's Messenger ﷺ used perform *ghusl* due to four things: *janâbah* (a state of major ritual sexual impurity), on a Friday, after being cupped and after washing the dead.' Related by Abû Dawûd and Ibn Khuzaimah graded it as Sahîh

١٢١ ـــ وَعَنْ أَبِي هُرَيْرَةَ – رَضِيَ اللَّهُ عَنْهُ – فِي قِصَّةِ ثُمَامَةَ بْنِ أُثَالٍ ، عِنْدَمَا أَسْلَمَ – وَأَمَرَهُ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنْ يَغْتَسِلَ . رَوَاهُ عَبْدُالرَّزَّاقِ وَأَصْلُهُ مُتَّفَقٌ عَلَيْهِ .

121. Narrated Abû Hurairah (RAA): concerning the story of Thumâmah Ibn Uthâl[59] when he embraced Islâm,'The Prophet ﷺ commanded him to perform *ghusl*.' Related by ´Abdur Razzâq, and the original full narration related to this issue is agreed upon.

١٢٢ ـــ وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ – رَضِيَ اللَّهُ عَنْهُ – أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «غُسْلُ يَوْمِ الْجُمُعَةِ وَاجِبٌ عَلَى كُلِّ مُحْتَلِمٍ». أَخْرَجَهُ السَّبْعَةُ .

122. Narrated Abû Sa´îd al-Khudrî (RAA) : Allâh's Messenger

59- Thumâmah Ibn Uthâl al-Hanafî was captured and the companions tied him to a pillar of the mosque. He eventually embraced Islâm and the Prophet ﷺ untied him and ordered him to go to the garden of Abû Talhah and perform *ghusl*. He then performed *ghusl* and prayed two *Rak´ah*. The Prophet ﷺ said, 'Indeed your brother has become a fine Muslim.' (Related by Ahmad).

ﷺ said, **"Performing *Ghusl* is obligatory on every adult."** Related by the seven Imâms.

١٢٣ ـــ وَعَنْ سَمُرَةَ بْنُ جُنْدَب - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّه صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ تَوَضَّأَ يَوْمَ الْجُمُعَةِ فَبِهَا وَنِعْمَتْ ، وَمَنِ اغْتَسَلَ فَالْغُسْلُ أَفْضَلُ». رَوَاهُ الْخَمْسَةُ ، وَحَسَّنَهُ التِّرْمِذِيُّ .

123. Narrated Samurah bin Jundub (RAA): Allâh's Messenger ﷺ said, **"If you perform ablution on a Friday it is sufficient, but if you perform *Ghusl* it is more superior."** Related by the five Imâms.

١٢٤ ـــ وَعَنْ عَلِيٍّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «كَانَ رَسُولُ اللَّه صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يُقْرِئُنَا الْقُرْآنَ مَا لَمْ يَكُنْ جُنُبًا». رَوَاهُ الْخَمْسَةُ ، وَهَذَا لَفْظُ التِّرْمِذِيِّ ، وَصَحَّحَهُ ، وَحَسَّنَهُ ابْنُ حِبَّان .

124. Narrated ´Alî (RAA): 'The Messenger of Allâh ﷺ used to recite the Qur'ân to us unless he was *Junub* (in a state of major ritual impurity).' Related by the five, and these are the wordings of at-Tirmidhî who authenticated it. Ibn Hibbân graded it as *Hasan*.

١٢٥ ـــ وَعَنْ أَبِي سَعِيد الْخُدْرِيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّه صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا أَتَى أَحَدُكُمْ أَهْلَهُ ، ثُمَّ أَرَادَ أَنْ يَعُودَ فَلْيَتَوَضَّأْ بَيْنَهُمَا وُضُوءًا». رَوَاهُ مُسْلِمٌ .

125. Narrated Abû Sa´îd al-Khudrî (RAA): Allâh's Messenger ﷺ said, **"When one of you has intercourse with his wife, and wishes to repeat it, he should perform ablution[60] between the two acts."** Related by Muslim.

١٢٦ ـــ زَادَ الْحَاكِمُ : «فَإِنَّهُ أَنْشَطُ لِلْعَوْدِ».

126. Al-Hâkim added (to the above narration), **"For it makes the return more vivacious."**

60- It is a recommended act in this case.

١٢٧ ــ وَلِلأَرْبَعَةِ عَنْ عَائِشَةَ – رَضِيَ اللَّهُ عَنْهَا – قَالَتْ : «كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَنَامُ وَهُوَ جُنُبٌ ، مِنْ غَيْرِ أَنْ يَمَسَّ مَاءً ، وَهُوَ مَعْلُولٌ».

127. The four Imâms reported on the authority of ʿÂ'ishah (RAA): who said, "Allâh's Messenger ﷺ used to sleep while he is *junub* without touching water." This *Hadîth* has a defect.

١٢٨ ــ وَعَنْ عَائِشَةَ – رَضِيَ اللَّهُ عَنْهَا – قَالَتْ : «كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِذَا اغْتَسَلَ مِنَ الْجَنَابَةِ يَبْدَأُ فَيَغْسِلُ يَدَيْهِ ، ثُمَّ يُفْرِغُ بِيَمِينِهِ عَلَى شِمَالِهِ ، فَيَغْسِلُ فَرْجَهُ ، ثُمَّ يَتَوَضَّأُ ، ثُمَّ يَأْخُذُ الْمَاءَ ، فَيُدْخِلُ أَصَابِعَهُ فِي أُصُولِ الشَّعْرِ ، ثُمَّ حَفَنَ عَلَى رَأْسِهِ ثَلاثَ حَفَنَاتٍ ، ثُمَّ أَفَاضَ عَلَى سَائِرِ جَسَدِهِ ، ثُمَّ غَسَلَ رِجْلَيْهِ». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِمُسْلِمٍ .

128. Narrated ʿÂ'ishah (RAA): 'When the Messenger of Allâh performed *Ghusl* after sexual intercourse, he first washed his hands, then he poured water over his left hand with his right hand and washed his private parts. He would then perform ablution for prayer, take some water and wash his hair thoroughly down to the roots then he poured water over his head three times and then poured water over the rest of his body, then washed his feet." Agreed upon, and the wording is Muslim's.

١٢٩ ــ وَلَهُمَا ، مِنْ حَدِيثِ مَيْمُونَةَ : «ثُمَّ أَفْرَغَ عَلَى فَرْجِهِ وَغَسَلَهُ بِشِمَالِهِ ، ثُمَّ ضَرَبَ بِهَا الأَرْضَ».

129. Al-Bukhârî and Muslim transmitted on the authority of Maimûnah (RAA): 'Then he ﷺ poured water over his private parts and washed it with his left hand, then rubbed his hand on the ground.'

١٣٠ ــ وَفِي رِوَايَةٍ : فَمَسَحَهَا بِالتُّرَابِ ، وَفِي آخِرِهِ : ثُمَّ أَتَيْتُهُ بِالْمِنْدِيلِ ، فَرَدَّهُ ، وَفِيهِ : وَجَعَلَ يَنْفُضُ الْمَاءَ بِيَدِهِ .

130. In another narration, she said, 'And he wiped it with earth.' This version concludes, 'I handed him a piece of cloth, but he did not take it....' 'He started shaking the water off with his hand.'

١٣١ ـــ وَعَنْ أُمِّ سَلَمَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهَا - قَالَتْ : قُلْتُ : يَا رَسُولَ اللَّه ، إِنِّي امْرَأَةٌ أَشُدُّ شَعَرَ رَأْسِي ، أَفَأَنْقُضُهُ لِغَسْلِ الْجَنَابَة ؟ وَفِي رِوَايَة : وَالْحَيْضَة ؟ قَالَ : «لاَ ، إِنَّمَا يَكْفِيكِ أَنْ تَحْثِي عَلَى رَأْسِكِ ثَلاَثَ حَثَيَات». رَوَاهُ مُسْلِمٌ .

131. Narrated Umm Salamah (RAA):, 'I said, 'O Messenger of Allâh, I am a woman who keeps her hair closely plaited. Do I have to undo them for *Ghusl* after sexual intercourse?' In another narration, 'and after the end of menses?' He replied ﷺ, **"No, it is enough for you to throw three handfuls of water over your head."** Related by Muslim.

١٣٢ ـــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : قَالَ رَسُولُ اللَّه صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِنِّي لاَ أُحِلُّ الْمَسْجِدَ لِحَائِضٍ وَلاَ جُنُبٍ». رَوَاهُ أَبُو دَاوُدَ ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ .

132. Narrated 'Â'ishah (RAA): 'Allâh's Messenger ﷺ said, **"It is not permitted for a menstruating woman or one who is *junub* (sexually impure) to stay in the mosque."** Related by Abû Dawûd and Ibn Khuzaimah graded it as Sahîh

١٣٣ ـــ وَعَنْهَا - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «كُنْتُ أَغْتَسِلُ أَنَا وَرَسُولُ اللَّه صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ مِنْ إِنَاءٍ وَاحِدٍ ، تَخْتَلِفُ أَيْدِينَا فِيهِ مِنَ الْجَنَابَة». مُتَّفَقٌ عَلَيْه ، وَزَادَ ابْنُ حِبَّانَ : وَتَلْتَقِي أَيْدِينَا .

133. Narrated 'Â'ishah (RAA): 'Allâh's Messenger and I used to wash(perform *Ghusl*) from the same bowl after sexual impurity, and our hands were alternating (in taking the water).' Agreed upon. Ibn Hibbân added, 'and our hands were crossing over each other.'

١٣٤ ـــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّه صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِنَّ تَحْتَ كُلِّ شَعْرَةٍ جَنَابَةً ، فَاغْسِلُوا الشَّعْرَ ، وَأَنْقُوا الْبَشَرَ». رَوَاهُ أَبُو دَاوُدَ ، وَالتِّرْمِذِيُّ وَضَعَّفَاهُ .

134. Narrated Abû Hurairah (RAA): 'Allâh's Messenger ﷺ

said,**"There is *Janâbah*(trace of sexual impurity) under every hair, so wash your hair and cleanse the skin."** Abû Dawûd and at-Tirmidhî transmitted it but they declared it to be weak.

١٣٥ ـــ وَلأَحْمَدَ عَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - نَحْوُهُ ، وَفِيهِ رَاوٍ مَجْهُولٌ .

135. Ahmad transmitted a similar narration to the above, on the authority of ʿÂ'ishah (RAA), but this version has an unknown transmitter.

## بَـــابُ التَّيَمُّـــمِ

## *Chapter IX: Dry Ablution (at-Tayammum)*

١٣٦ ـــ عَـــنْ جَابِـــرِ بْنِ عَبْدِ اللَّهِ أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «أُعْطِيتُ خَمْسًا ، لَمْ يُعْطَهُنَّ أَحَدٌ قَبْلِي : نُصِرْتُ بِالرُّعْبِ مَسِيرَةَ شَهْرٍ ، وَجُعِلَتْ لِيَ الأَرْضُ مَسْجِدًا وَطَهُورًا ، فَأَيُّمَا رَجُلٍ أَدْرَكَتْهُ الصَّلاَةُ فَلْيُصَلِّ» ، وَذَكَرَ الْحَدِيثَ .

136. Narrated Jâbir (RAA): The Messenger of Allâh ﷺ said, **"I have been given five things, which were not given to any one else before me: I have been made victorious due to the fear (of my enemy), for a distance of one month's journey; the earth has been made for me (and for my followers) a place for prayer and something with which to perform *Tayammum* (to purify oneself for prayer). Therefore anyone of my followers can pray (anywhere) and at any time that the prayer is due.[61]"**

١٣٧ــ وَفِـــي حَدِيثِ حُذَيْفَةَ - رَضِيَ اللَّهُ عَنْهُ - عِنْدَ مُسْلِمٍ : «وَجُعِلَتْ تُرْبَتُهَا لَنَا طَهُورًا ، إِذَا لَمْ نَجِدِ الْمَاءَ».

137. In another narration by Hudhaifah (RAA): **"And the soil of the earth had been made for us as a means with which to**

61- The rest of the *Hadîth* is, **"The war booty has been made *Halâl* (lawful) for me, and this was not lawful for anyone else before me; I have been give the right of intercession (on the day of Judgment); and every Prophet used to only be sent to his nation, but I have been sent to all mankind." Agreed upon.**

**purify ourselves (for prayer), when we cannot find water."** Related by Muslim.

١٣٨ ــ وَعَنْ عَلِيٍّ عِنْدَ أَحْمَدَ : «وَجُعِلَ التُّرَابُ لِي طَهُورًا».

138. Ahmad transmitted on the authority of ´Alî (RAA): **"The earth (dust) has been made for me as a means for purify-cation."**

١٣٩ ــ وَعَــنْ عَمَّارِ بْنِ يَاسِرٍ – رَضِيَ اللَّهُ عَنْهُمَا – قَالَ : بَعَثَنِي النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فِي حَاجَةٍ ، فَأَجْنَبْتُ ، فَلَمْ أَجِدِ الْمَاءَ ، فَتَمَرَّغْتُ فِي الصَّعِيدِ كَمَا تَتَمَرَّغُ الدَّابَّــةُ ، ثُــمَّ أَتَيْتُ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، فَذَكَرْتُ لَهُ ذَلِكَ ، فَقَالَ : «إِنَّمَا يَكْفِيكَ أَنْ تَقُولَ بِيَدَيْكَ هَكَذَا» ، ثُمَّ ضَرَبَ بِيَدَيْهِ الأَرْضَ ضَرْبَةً وَاحِدَةً ، ثُمَّ مَسَحَ الشِّمَالَ عَلَى الْيَمِينِ ، وَظَاهِرَ كَفَّيْهِ وَوَجْهَهُ. مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِمُسْلِمٍ .

139. Narrated ´Ammâr bin Yâsir (RAA): 'The Messenger of Allâh ﷺ sent me on some errands and I became *junub* (sexually impure), and could not find water. I rolled myself in the dirt just as an animal does. I then came to the Prophet ﷺ and mentioned that to him, He said, **"This would have been enough for you,"** and he struck the earth with his hands once, then he wiped the right hand with the left one, the outside of the palms of his hands and his face. "Agreed upon, and the wording is Muslim's.

١٤٠ ــ وَفِــي رِوَايَةٍ لِلْبُخَارِيِّ : «وَضَرَبَ بِكَفَّيْهِ الأَرْضَ ، وَنَفَخَ فِيهِمَا ، ثُمَّ مَسَحَ بِهِمَا وَجْهَهُ وَكَفَّيْهِ».

140. In a version by al-Bukhârî ´Ammâr said, 'He ﷺ struck the earth with the palms of his hands, blew in them and wiped his face and hands with them.'

١٤١ ــ وَعَــنْ ابْــنِ عُمَرَ – رَضِيَ اللَّهُ عَنْهُمَا – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَــيْهِ وَسَــلَّمَ : «التَّيَمُّمُ ضَرْبَتَانِ : ضَرْبَةٌ لِلْوَجْهِ ، وَضَرْبَةٌ لِلْيَدَيْنِ إِلَى الْمِرْفَقَيْنِ». رَوَاهُ الدَّارَقُطْنِيُّ ، وَصَحَّحَ الأَئِمَّةُ وَقْفَهُ .

141. Narrated Ibn ´Umar (RAA): Allâh's Messenger ﷺ said,

**"*Tayammum* is two strikes: one for the face and the other for the hands up to the elbows."** Related by ad-Dâraqutnî.

١٤٢ — وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «الصَّعِيدُ وُضُوءُ الْمُسْلِمِ ، وَإِنْ لَمْ يَجِدِ الْمَاءَ عَشْرَ سِنِينَ ، فَإِذَا وَجَدَ الْمَاءَ فَلْيَتَّقِ اللَّهَ ، وَلْيُمِسَّهُ بَشَرَتَهُ». رَوَاهُ الْبَزَّارُ . وَصَحَّحَهُ ابْنُ الْقَطَّانِ ، لَكِنْ صَوَّبَ الدَّارَقُطْنِيُّ إِرْسَالَهُ .

142. Narrated Abû Hurairah (RAA): Allâh's Messenger ﷺ said, **"The soil is a purifier for a Muslim, even if he does not find water for ten years, but if he finds water, he must fear Allâh and let it touch his skin."**[62]

١٤٣ — وَلِلتِّرْمِذِيِّ عَنْ أَبِي ذَرٍّ نَحْوُهُ ، وَصَحَّحَهُ .

143. Narrated Abû Dharr (RAA): a similar *Hadîth* transmitted by at-Tirmidhî.

١٤٤ — وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : خَرَجَ رَجُلَانِ فِي سَفَرٍ ، فَحَضَرَتِ الصَّلَاةُ - وَلَيْسَ مَعَهُمَا مَاءٌ - فَتَيَمَّمَا صَعِيدًا طَيِّبًا ، فَصَلَّيَا ، ثُمَّ وَجَدَا الْمَاءَ فِي الْوَقْتِ ، فَأَعَادَ أَحَدُهُمَا الصَّلَاةَ وَالْوُضُوءَ ، وَلَمْ يُعِدِ الْآخَرُ ، ثُمَّ أَتَيَا رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَذَكَرَا ذَلِكَ لَهُ ، فَقَالَ لِلَّذِي لَمْ يُعِدْ : «أَصَبْتَ السُّنَّةَ ، وَأَجْزَأَتْكَ صَلَاتُكَ» ، وَقَالَ لِلْآخَرِ : «لَكَ الْأَجْرُ مَرَّتَيْنِ». رَوَاهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ .

144. Narrated Abû Sa'îd al-Khudrî (RAA): 'Two men went out on a journey, and when it was time for prayer, and having no water with them, they performed *tayammum* and prayed. Then they found some water during the time of the same prayer. One of them repeated his prayer with ablution and the other did not. When they saw the Messenger of Allâh ﷺ, they asked him about the proper procedure in such a case. He said to the one who did

62- He must perform *Ghusl* as soon as he finds water, if he was originally *junub*.

not repeat his prayer, **'You have acted according to the *Sunnah* and your prayer is sufficient for you.'** He said to the other, **'You will get a double reward.'** Related by Abû Dawûd and an-Nasâ'î.

١٤٥ ـــ وَعَــنِ ابْنِ عَبَّاسٍ – رَضِيَ اللّٰهُ عَنْهُمَا – فِي قَوْلِهِ – عَزَّ وَجَلَّ – : {وَإِنْ كُنْــتُمْ مَرْضَــى أَوْ عَلَــى سَفَرٍ}، قَالَ : إِذَا كَانَتْ بِالرَّجُلِ الْجِرَاحَةُ فِي سَبِيلِ اللهِ وَالْقُرُوحُ ، فَيُجْنِبُ ، فَيَخَافُ أَنْ يَمُوتَ إِنِ اغْتَسَلَ : تَيَمَّمَ. رَوَاهُ الدَّارَقُطْنِيُّ مَوْقُوفًا ، وَرَفَعَهُ الْبَزَّارُ ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ ، وَالْحَاكِمُ .

145. Narrated Ibn 'Abbâs (RAA): concerning the verse, ***"And if you are ill or on a journey," (an-Nisâ': 43-*** he said, 'If a man has a wound, which he suffered during Jihâd (in the cause of Allâh) or ulcers, then he became *junub* (sexually impure) and is afraid that if he bathes he would die; he may perform ablution with clean earth *(Tayammum).* Related by ad-Dâraqutnî. And al-Bazzâr (who traced it back to the Prophet ﷺ). Ibn Khuzaimah and al-Hâkim graded it as Sahîh

١٤٦ ـــ وَعَــنْ عَلِــيٍّ – رَضِــيَ اللّٰهُ عَنْهُ – قَالَ : «انْكَسَرَتْ إِحْدَى زَنْدَيَّ فَسَــأَلْتُ رَسُولَ اللّٰهِ صَلَّى اللّٰهُ عَلَيْهِ وَسَلَّمَ ، فَأَمَرَنِي أَنْ أَمْسَحَ عَلَى الْجَبَائِرِ». رَوَاهُ ابْنُ مَاجَهْ بِسَنَدٍ وَاهٍ جِدًّا .

146. Narrated 'Alî (RAA): 'When one of my forearms was fractured I consulted Allâh's Messenger ﷺ, so he commanded me to wipe over the bandages or cast.' Related by Ibn Mâjah with a very weak chain of narrators.

١٤٧ ـــ وَعَــنْ جَابِرٍ – رَضِيَ اللّٰهُ عَنْهُ – فِي الرَّجُلِ الَّذِي شُجَّ ، فَاغْتَسَلَ فَمَاتَ : «إِنَّمَــا كَــانَ يَكْفِــيهِ أَنْ يَتَيَمَّمَ ، وَيَعْصِبَ عَلَى جُرْحِهِ خِرْقَةً ، ثُمَّ يَمْسَحُ عَلَيْهَا ، وَيَغْسِلُ سَائِرَ جَسَدِهِ». رَوَاهُ أَبُو دَاوُدَ بِسَنَدٍ فِيهِ ضَعْفٌ ، وَفِيهِ اخْتِلاَفٌ عَلَى رُوَاتِهِ .

147. Narrated Jâbir (RAA):concerning the man who had a head injury, then he made *Ghusl* and died- The Messenger of Allâh ﷺ said, **"It would have been enough for him to perform**

***tayammum* and wrap it with something and wipe over the wrapping and wash the rest of his body."** Related by Abû Dawûd, but there is a weakness in its chain of narrators.

١٤٨ ـــ وَعَنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا - قَالَ : «مِنَ السُّنَّةِ أَنْ لاَ يُصَلِّيَ الرَّجُلُ بِالتَّيَمُّمِ إِلاَّ صَلاَةً وَاحِدَةً ، ثُمَّ يَتَيَمَّمُ لِلصَّلاَةِ الأُخْرَى». رَوَاهُ الدَّارَقُطْنِيُّ بِإِسْنَادٍ ضَعِيفٍ جِدًّا .

148. Narrated Ibn 'Abbâs (RAA): 'It is from the *Sunnah* of the Prophet ﷺ for the man to pray only one prayer with each *tayammum*, and then perform *tayammum* for the next prayer.' Related by ad-Dâraqutnî but with a very weak chain of narrators.

## بَـــابُ الْحَيْـــضِ

## *Chapter X: Menstruation*

١٤٩ ـــ عَـــنْ عَائِشَـــةَ - رَضِـــيَ اللَّهُ عَنْهَا - أَنَّ فَاطِمَةَ بِنْتَ أَبِي حُبَيْشٍ كَانَتْ تُسْـــتَحَاضُ ، فَقَالَ لَهَا رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِنَّ دَمَ الْحَيْضِ دَمٌ أَسْوَدُ يُعْـــرَفُ ، فَإِذَا كَانَ ذَلِكَ فَأَمْسِكِي عَنِ الصَّلاَةِ ، فَإِذَا كَانَ الآخَرُ فَتَوَضَّئِي وَصَلِّي». رَوَاهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ ، وَصَحَّحَهُ ابْنُ حِبَّانَ وَالْحَاكِمِ ، وَاسْتَنْكَرَهُ أَبُو حَاتِمٍ .

149. Narrated 'Â'ishah (RAA): 'Fâtmah bint Abî Hubaish used to have a prolonged flow of blood *(Istihâdah)*, so the Messenger of Allâh ﷺ said, **"If it is the blood of menstruation it will be dark (almost black) and recognizable (by women). If it is that then leave the prayer. If it is other than that, then make ablution and pray."** Related by Abû Dawûd, an-Nasâ'î and Ibn Hibbân and al-Hâkim graded it as *Sahîh*.

١٥٠ ـــ وَفِـــي حَدِيثِ أَسْمَاءَ بِنْتِ عُمَيْسٍ عِنْدَ أَبِي دَاوُدَ : «وَلْتَجْلِسْ فِي مِرْكَنٍ ، فَإِذَا رَأَتْ صُفْرَةً فَوْقَ الْمَاءِ فَلْتَغْتَسِلْ لِلظُّهْرِ وَالْعَصْرِ ، غُسْلاً وَاحِدًا ، وَتَغْتَسِلُ لِلْمَغْرِبِ وَالْعِشَاءِ غُسْلاً وَاحِدًا ، وَتَغْتَسِلُ لِلْفَجْرِ غُسْلاً وَاحِدًا ، وَتَتَوَضَّأُ فِيمَا بَيْنَ ذَلِكَ».

150. In the narration of Asmâ' bint 'Umais, Abû Dawûd trans-

mitted, '**She should sit in a tub, and if she sees yellowness appearing (on top of the water) she should wash (three times), once for the noon *(Dhuhr)* and afternoon *('Asr)* prayer and once for the sunset *(Maghrib)* and late night *('Ishâ')* prayer and once for the dawn *(Fajr)* prayer and she should then perform ablution in between those times.**"

١٥١ ـــ وَعَـــنْ حَمْنَةَ بِنْتِ جَحْشٍ قَالَتْ : كُنْتُ أُسْتَحَاضُ حَيْضَةً كَثِيرَةً شَدِيدَةً ، فَأَتَيْتُ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَسْتَفْتِيهِ ، فَقَالَ : «إِنَّمَا هِيَ رَكْضَةٌ مِنَ الشَّيْطَانِ ، فَتَحَيَّضِـــي سِـــتَّةَ أَيَّـــامٍ ، أَوْ سَبْعَةَ أَيَّامٍ ، ثُمَّ اغْتَسِلِي ، فَإِذَا اسْتَنْقَأْتِ فَصَلِّي أَرْبَعَةً وَعِشْـــرِينَ ، أَوْ ثَلاَثَةً وَعِشْرِينَ ، وَصُومِي ، وَصَلِّي ، فَإِنَّ ذَلِكَ يُجْزِئُكِ ، وَكَذَلِكَ فَـــافْعَلِي كُلَّ شَهْرٍ كَمَا تَحِيضُ النِّسَاءُ ، فَإِنْ قَوِيتِ عَلَى أَنْ تُؤَخِّرِي الظُّهْرَ وَتُعَجِّلِي الْعَصْـــرَ ، ثُـــمَّ تَغْتَسِلِي حِينَ تَطْهُرِينَ ، وَتُصَلِّي الظُّهْرَ وَالْعَصْرَ جَمِيعًا ، ثُمَّ تُؤَخِّرِينَ الْمَغْرِبَ وَتُعَجِّلِينَ الْعِشَاءَ ، ثُمَّ تَغْتَسِلِينَ وَتَجْمَعِينَ بَيْنَ الصَّلاَتَيْنِ ، فَافْعَلِي ، وَتَغْتَسِلِينَ مَعَ الصُّبْحِ وَتُصَلِّينَ ، قَالَ : وَهُوَ أَعْجَبُ الأَمْرَيْنِ إِلَيَّ». رَوَاهُ الْخَمْسَةُ إِلاَّ النَّسَائِيَّ ، وَصَحَّحَهُ التِّرْمِذِيُّ ، وَحَسَّنَهُ الْبُخَارِيُّ .

151. Narrated Hamnah bint Jahsh, 'I had a very strong prolonged flow of blood. I went to the Prophet ﷺ to ask him about it. He said to her, "**This is a strike from Satan. So observe your menses for six or seven days, and then perform *Ghusl* until you see that you are clean. Pray for twenty-four or twenty-three nights and days and fast, and that will be sufficient for you. Do that every month as the other women become pure and menstruate. But if you are strong enough to delay the *Dhuhr (noon)* prayer and hasten the *'Asr* (afternoon) prayer, then make *Ghusl* when you are purified and pray the *Dhuhr* and *'Asr* prayers together; to delay the *Maghrib* (sunset) and hasten the *'Ishâ'* prayer, and perform *Ghusl* and combine the *Maghrib* and the *'Ishâ'* prayer together. Do so, and then wash at dawn and pray the *Fajr*. This is how you may pray and fast if you have the ability to do so. And he said, "That is the more preferable way to me."**" Related by the five Imâms except an-Nasâ'î, and was authenticated by at-Tirmidhî.

١٥٢ ــ وَعَــنْ عَائِشَــةَ - رَضِــيَ اللَّهُ عَنْهَا - أَنَّ أُمَّ حَبِيبَةَ بِنْتَ جَحْشٍ شَكَتْ إِلَى رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ الدَّمَ ، فَقَالَ : « امْكُثِي قَدْرَ مَا كَانَتْ تَحْبِسُكِ حَيْضَتُكِ ، ثُمَّ اغْتَسِلِي» ، فَكَانَتْ تَغْتَسِلُ لِكُلِّ صَلَاةٍ. رَوَاهُ مُسْلِمٌ .

152. Narrated ´Â'ishah (RAA): 'Um Habîbah bint Jahsh complained to the Prophet ﷺ about a prolonged flow of blood. He said to her, **"Keep away** (from prayer) **as long as your normal period used to prevent you** (from praying)**, and afterwards she should perform *Ghusl*** (and pray)." (She used to wash for every prayer). Related by Muslim.

١٥٣ ــ وَفِي رِوَايَةٍ لِلْبُخَارِيِّ : «وَتَوَضَّئِي لِكُلِّ صَلَاةٍ». وَهِيَ لِأَبِي دَاوُدَ ، وَغَيْرِهِ مِنْ وَجْهٍ آخَرَ .

153. In another version by al-Bukhârî he ﷺ said, **"And perform ablution for every prayer."** Abû Dawûd and others transmitted a similar narration.

١٥٤ ــ وَعَنْ أُمِّ عَطِيَّةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «كُنَّا لَا نَعُدُّ الْكُدْرَةَ وَالصُّفْرَةَ بَعْدَ الطُّهْرِ شَيْئًا». رَوَاهُ الْبُخَارِيُّ ، وَأَبُو دَاوُدَ ، وَاللَّفْظُ لَهُ .

154. Narrated Umm ´Atiyah (RAA): 'After we were pure, we did not consider the yellow or muddy discharge to be anything (i.e. of the menses blood)." Related by al-Bukhârî and Abû Dawûd and the wording is his.

١٥٥ ــ وَعَــنْ أَنَسٍ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ الْيَهُودَ كَانَتْ إِذَا حَاضَتِ الْمَرْأَةُ فِيهِمْ لَــمْ يُؤَاكِلُوهَا ، فَقَالَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «اصْنَعُوا كُلَّ شَيْءٍ إِلَّا النِّكَاحَ». رَوَاهُ مُسْلِمٌ .

155. Narrated Anas (RAA): 'When a Jewish woman was menstruating, they would not eat with her. The Prophet ﷺ then said, **"Do everything except sexual intercourse."** Related by Muslim.

١٥٦ ــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَأْمُرُنِي فَأَتَّزِرُ ، فَيُبَاشِرُنِي وَأَنَا حَائِضٌ». مُتَّفَقٌ عَلَيْهِ .

156. Narrated ʿÂ'ishah (RAA): 'When I was menstruating, the Prophet ﷺ would order me to wrap myself up (with an *Izâr*, which is a dress worn below the waist) and would start fondling me." Agreed upon.

١٥٧ ــ وَعَنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - عَنْ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فِـي الَّذِي يَأْتِي امْرَأَتَهُ وَهِيَ حَائِضٌ - قَالَ : «يَتَصَدَّقُ بِدِينَارٍ ، أَوْ بِنِصْفِ دِينَارٍ». رَوَاهُ الْخَمْسَةُ ، وَصَحَّحَهُ الْحَاكِمُ ، وَابْنُ الْقَطَّانِ ، وَرَجَّحَ غَيْرُهُمَا وَقْفَهُ .

157. Narrated Ibn ʿAbbâs (RAA): that the Messenger of Allâh ﷺ said, concerning the man who has intercourse with his wife during her menses, **"He must pay a Dînâr or half a Dînâr in way of charity."** Related by the five Imâms, and al-Hâkim authenticated it.

١٥٨ ــ وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّـهُ عَلَيْهِ وَسَلَّمَ : «أَلَيْسَ إِذَا حَاضَتِ الْمَرْأَةُ لَمْ تُصَلِّ ، وَلَمْ تَصُمْ ؟». مُتَّفَقٌ عَلَيْهِ ، فِي حَدِيثٍ طَوِيلٍ .

158. Narrated Abû Saʿîd al-Khudrî (RAA): Allâh's Messenger ﷺ said, **"Is it not the case that when a woman menstruates she neither prays nor fasts?"** Agreed upon, and this is an extract from a long *Hadîth*.

١٥٩ ــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهَا - قَالَتْ : لَمَّا جِئْنَا سَرِفَ حِضْتُ ، فَقَـالَ النَّـبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «افْعَلِي مَا يَفْعَلُ الْحَاجُّ ، غَيْرَ أَنْ لاَ تَطُوفِي بِالْبَيْتِ حَتَّى تَطْهُرِي». مُتَّفَقٌ عَلَيْهِ ، فِي حَدِيثٍ طَوِيلٍ .

159. Narrated ʿÂ'ishah (RAA): 'When we reached Sarif, I menstruated. The Prophet ﷺ said, **"You should perform all that a pilgrim would do, except circumambulation until you are**

**pure** (i.e. performed *Ghusl*)." Agreed upon, and this is an extract from a long *Hadîth*.

١٦٠ ــ وَعَنْ مُعَاذِ بْنِ جَبَلٍ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - أَنَّهُ سَأَلَ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : مَا يَحِلُّ لِلرَّجُلِ مِنْ امْرَأَتِهِ ، وَهِيَ حَائِضٌ ؟ فَقَالَ : «مَا فَوْقَ الإِزَارِ». رَوَاهُ أَبُو دَاوُدَ ، وَضَعَّفَهُ .

160. Narrated Mu´âdh Ibn Jabal (RAA): that he asked the Prophet ﷺ, 'What is lawful for a man with his wife when she is menstruating? He replied, **"What is above the waist wrapper."** Related by Abû Dawûd and declared it to be a weak *Hadîth*.

١٦١ ــ وَعَنْ أُمِّ سَلَمَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «كَانَتْ النُّفَسَاءُ تَقْعُدُ عَلَى عَهْدِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بَعْدَ نِفَاسِهَا أَرْبَعِينَ يَوْمًا». رَوَاهُ الْخَمْسَةُ إِلاَّ النَّسَائِيَّ ، وَاللَّفْظُ لأَبِي دَاوُدَ .

161. Narrated Umm Salamah (RAA): 'During the lifetime of the Prophet ﷺ, the post-childbirth woman would refrain (from prayer) for forty days after delivery.' Related by the five Imâms except an-Nasâ'î, and the wording is Abû Dawûd's.

١٦٢ ــ وَفِي لَفْظٍ لَهُ : «وَلَمْ يَأْمُرْهَا النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بِقَضَاءِ صَلاَةِ النِّفَاسِ». وَصَحَّحَهُ الْحَاكِمُ .

162. In a version by Abû Dawûd, the Prophet ﷺ would not command her to compensate for the prayers missed during her post-childbirth period.

# كِتَابُ الصَّلَاةِ

# Book II: Prayer

## بَابُ الْمَوَاقِيتِ

## *Chapter I: The times of prayer*

١٦٣ ـ عَنْ عَبْدِ اللَّهِ بْنِ عَمْرٍو - رَضِيَ اللَّهُ عَنْهُمَا - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «وَقْتُ الظُّهْرِ إِذَا زَالَتِ الشَّمْسُ ، وَكَانَ ظِلُّ الرَّجُلِ كَطُولِهِ مَا لَمْ يَحْضُرْ وَقْتُ الْعَصْرِ ، وَوَقْتُ الْعَصْرِ مَا لَمْ تَصْفَرَّ الشَّمْسُ ، وَوَقْتُ صَلَاةِ الْمَغْرِبِ مَا لَمْ يَغِبِ الشَّفَقُ ، وَوَقْتُ صَلَاةِ الْعِشَاءِ إِلَى نِصْفِ اللَّيْلِ الأَوْسَطِ ، وَوَقْتُ صَلَاةِ الصُّبْحِ مِنْ طُلُوعِ الْفَجْرِ مَا لَمْ تَطْلُعِ الشَّمْسُ». رَوَاهُ مُسْلِمٌ .

163. Narrated ´Abdullâh Ibn ´Amro (RAA): The Messenger of Allâh ﷺ said, **"The time of the *Dhuhr* prayer is when the sun passes the meridian and a man's shadow is the same length as his height. It lasts until the time of the *´Asr* (afternoon) prayer. The time of the *´Asr* prayer is until the yellowing of the sun (during its setting). The time of the *Maghrib* prayer is the duration of the twilight. The time of the *´Ishâ'* prayer is up to the middle of the night,[63] and the time of the *Fajr* prayer is from the appearance of the dawn until the time of sunrise."** Related by Muslim.

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63- This is the chosen time or the preferable time for the *´Ishâ'* prayer, but it is permissible to pray it -for the one who missed it- until the time of the next prayer, i.e. the *Fajr* prayer in this case. The evidence for this is the *Hadith* reported on the authority of Abû Qatâdah that the Prophet ﷺ said, **"Missing the prayer due to sleep is not an act of negligence, the real act of negligence occurs when one** (is awake and) **does not pray until the time of the next prayer is due."** Part of a long *Hadith* related by Muslim.

١٦٤ ــ وَلَهُ مِنْ حَدِيثِ بُرَيْدَةَ فِي الْعَصْرِ : «وَالشَّمْسُ بَيْضَاءُ نَقِيَّةٌ» .

164. Muslim transmitted on the authority of Buraidah –concerning the time of the *'Asr* (afternoon) prayer, **'While the sun was white and clear."**

١٦٥ ــ وَمِن حَدِيثِ أَبِي مُوسَى : «وَالشَّمْسُ مُرْتَفِعَةٌ» .

165. Muslim transmitted on the authority of Abû Mûsâ: concerning the *'Asr* (afternoon) prayer, **"When the sun was high."**

١٦٦ ــ وَعَنْ أَبِي بَرْزَةَ الأَسْلَمِيِّ – رَضِيَ اللَّهُ تَعَالَى عَنْهُ – قَالَ : «كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يُصَلِّي الْعَصْرَ ، ثُمَّ يَرْجِعُ أَحَدُنَا إِلَى رَحْلِهِ فِي أَقْصَى الْمَدِينَةِ وَالشَّمْسُ حَيَّةٌ ، وَكَانَ يَسْتَحِبُّ أَنْ يُؤَخِّرَ مِنَ الْعِشَاءِ ، وَكَانَ يَكْرَهُ النَّوْمَ قَبْلَهَا وَالْحَدِيثَ بَعْدَهَا ، وَكَانَ يَنْفَتِلُ مِنْ صَلاَةِ الْغَدَاةِ حِينَ يَعْرِفُ الرَّجُلُ جَلِيسَهُ ، وَكَانَ يَقْرَأُ بِالسِّتِّينَ إِلَى الْمِائَةِ». مُتَّفَقٌ عَلَيْهِ .

166. Narrated Abû Barzah (RAA): 'The Messenger of Allâh ﷺ used to pray the *'Asr* prayer at a time, after which a man could go to his dwelling in the outskirts of *Madînah* (and arrive) while the sun was still hot and bright. The Prophet ﷺ liked to delay the *'Ishâ'* prayer, and he disliked sleeping before it and talking after it. The Prophet ﷺ used to leave (the mosque, or turn to those praying behind him) after *Fajr* prayer, when a man could recognize the person sitting beside him (i.e. because the morning light had broken), and he used to recite between 60 to 100 verses.' Agreed upon.

١٦٧ ــ وَعِنْدَهُمَا مِنْ حَدِيثِ جَابِرٍ : وَالْعِشَاءَ أَحْيَانًا يُقَدِّمُهَا ، وَأَحْيَانًا يُؤَخِّرُهَا : إِذَا رَآهُمُ اجْتَمَعُوا عَجَّلَ ، وَإِذَا رَآهُمْ أَبْطَأُوا أَخَّرَ ، وَالصُّبْحُ : كَانَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يُصَلِّيهَا بِغَلَسٍ .

167. Al-Bukhârî and Muslim transmitted on the authority of Jâbir (RAA):'Sometimes he ﷺ would hasten[64] the *'Ishâ'* and some-

64- I.e. pray it earlier, at the beginning of the time of *'Ishâ'*

times he would delay it. He would hasten the *'Ishâ'* if he found people gathered (in the mosque), and if he noticed that they were lingering he would delay it. As for the *Fajr* prayer, the Prophet ﷺ would pray it while it was still dark."

١٦٨ ــ وَلِمُسْلِمٍ مِنْ حَدِيثِ أَبِي مُوسَى : «فَأَقَامَ الْفَجْرَ حِينَ انْشَقَّ الْفَجْرُ ، وَالنَّاسُ لاَ يَكَادُ يَعْرِفُ بَعْضُهُمْ بَعْضًا».

168. Muslim transmitted on the authority of Abû Mûsâ: 'The Prophet ﷺ ordered for the *Iqâmah* (the call for the performance of the prayer) of the *Fajr* prayer to be pronounced, when the day broke and people could hardly recognize each another.'

١٦٩ ــ وَعَنْ رَافِعِ بْنِ خَدِيجٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «كُنَّا نُصَلِّي الْمَغْرِبَ مَعَ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَيَنْصَرِفُ أَحَدُنَا ، وَإِنَّهُ لَيُبْصِرُ مَوَاقِعَ نَبْلِهِ». مُتَّفَقٌ عَلَيْهِ .

169. Narrated Râfi' bin Khadîj (RAA): 'We prayed the *Maghrib* prayer with the Messenger of Allâh ﷺ, and one of us would leave (afterwards) and would still be able to see where he had shot his arrow (because there was still light in the sky).

١٧٠ ــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : أَعْتَمَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ذَاتَ لَيْلَةٍ بِالْعِشَاءِ ، حَتَّى ذَهَبَ عَامَّةُ اللَّيْلِ ، ثُمَّ خَرَجَ ، فَصَلَّى ، وَقَالَ : «إِنَّهُ لَوَقْتُهَا لَوْلاَ أَنْ أَشُقَّ عَلَى أُمَّتِي». رَوَاهُ مُسْلِمٌ .

170. Narrated 'Â'ishah (RAA): 'One night, Allâh's Messenger ﷺ delayed the *'Ishâ'* prayer, till a good part of the night had gone (almost one third), then he came out and prayed and said, **"This would be the proper time for it,[65] if it was not too much of a hardship on my nation.[66]"** Related by Muslim.

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65- This is the chosen time and the best for it.
66- I.e. I would have delayed it until that time.

١٧١ ـــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا اشْتَدَّ الْحَرُّ فَأَبْرِدُوا بِالصَّلاَةِ ، فَإِنَّ شِدَّةَ الْحَرِّ مِنْ فَيْحِ جَهَنَّمَ». مُتَّفَقٌ عَلَيْهِ .

171. Narrated Abû Hurairah (RAA): The Prophet ﷺ said, **"If the heat becomes extreme, delay the prayer *(i.e. Dhuhr)* until it becomes cool, as extreme heat is from the fragrance of Hell."** Agreed upon.

١٧٢ ـــ وَعَنْ رَافِعِ بْنِ خَدِيجٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «أَصْبِحُوا بِالصُّبْحِ فَإِنَّهُ أَعْظَمُ لأُجُورِكُمْ». رَوَاهُ الْخَمْسَةُ ، وَصَحَّحَهُ التِّرْمِذِيُّ وَابْنُ حِبَّانَ .

172. Narrated Râfi' bin Khadîj (RAA): The Prophet ﷺ said, **"Observe the morning prayer till daybreak** (i.e. prolong the recital of Qur'ân in prayer, so that you remain in prayer until daybreak)**, as your reward will be greater."** Related by the five Imâms.

١٧٣ ـــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «مَنْ أَدْرَكَ مِنَ الصُّبْحِ رَكْعَةً قَبْلَ أَنْ تَطْلُعَ الشَّمْسُ فَقَدْ أَدْرَكَ الصُّبْحَ ، وَمَنْ أَدْرَكَ رَكْعَةً مِنَ الْعَصْرِ قَبْلَ أَنْ تَغْرُبَ الشَّمْسُ فَقَدْ أَدْرَكَ الْعَصْرَ». مُتَّفَقٌ عَلَيْهِ .

173. Narrated Abû Hurairah (RAA): The Prophet ﷺ said, **"Whoever catches one *rak'ah* of the *Fajr* prayer before sunrise, he has caught the *Fajr* prayer, and whoever catches one *rak'ah* of the *'Asr* prayer before sunset, he has caught the *'Asr* prayer."** Agreed upon.

١٧٤ ـــ وَلِمُسْلِمٍ عَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - نَحْوُهُ ، وَقَالَ : «سَجْدَةً» بَدَلَ «رَكْعَةٍ» ، ثُمَّ قَالَ : وَالسَّجْدَةُ إِنَّمَا هِيَ الرَّكْعَةُ .

174. Muslim transmitted on the authority of 'Â'ishah (RAA): a similar narration where the Prophet ﷺ said,**"One prostration"** instead of *"rak'ah"* and then said, **'a prostration means a *rak'ah.*'**

١٧٥ ــ وَعَنْ أَبِي سَعِيد الْخُدْرِيِّ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : سَمِعْتُ رَسُولَ اللَّـــهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ : «لاَ صَلاَةَ بَعْدَ الصُّبْحِ حَتَّى تَطْلُعَ الشَّمْسُ ، وَلاَ صَلاَةَ بَعْدَ الْعَصْرِ حَتَّى تَغِيبَ الشَّمْسُ». مُتَّفَقٌ عَلَيْهِ ، وَلَفْظُ مُسْلِمٍ : «لاَ صَلاَةَ بَعْدَ صَلاَةِ الْفَجْرِ».

175. Narrated Abû Sa'îd al-Khudrî (RAA): 'I heard the Messenger of Allâh ﷺ say, **"There is no prayer after the *Fajr* prayer until the sun rises and there is no prayer after the *'Asr* prayer until the sun sets."** Agreed upon. Muslim reported in his narration, **"No prayer is to be performed after the *Fajr* prayer."**

١٧٦ ــ وَلَـــهُ عَنْ عُقْبَةَ بْنِ عَامِرٍ : ثَلاَثُ سَاعَاتٍ كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ يَنْهَانَا أَنْ نُصَلِّيَ فِيهِنَّ ، وَأَنْ نَقْبُرَ فِيهِنَّ مَوْتَانَا : «حِينَ تَطْلُعُ الشَّمْسُ بَازِغَةً حَـــتَّى تَـــرْتَفِعَ ، وَحِينَ يَقُومُ قَائِمُ الظَّهِيرَةِ ، حَتَّى تَزُولَ الشَّمْسُ ، وَحِينَ تَتَضَيَّفُ الشَّمْسُ لِلْغُرُوبِ».

176. Narrated 'Uqbah bin 'Âmir: "There are three times during which the Prophet ﷺ prohibited us from praying or burying our deceased: from sunrise until the sun has risen(*a spear's length* above the horizon), when the sun is at its meridian, and when the sun is setting until it has completely set." Related by Muslim.

١٧٧ ــ وَالْحُكْمُ الثَّانِي عِنْدَ الشَّافِعِيِّ مِنْ حَدِيثِ أَبِي هُرَيْرَةَ بِسَنَدٍ ضَعِيفٍ ، وَزَادَ : «إِلاَّ يَوْمَ الْجُمُعَةِ» .

177. Ash-Shâfi'î transmitted the second case (prohibition of prayer when the sun is at its meridian), in a narration by Abû Hurairah, but through a weak chain of narrators. He added, 'with the exception of Friday."

١٧٨ ــ وَكَذَا لأَبِي دَاوُدَ عَنْ أَبِي قَتَادَةَ نَحْوُهُ .

178. Abû Dawûd transmitted a similar narration on the authority of Abû Qatâdah.

١٧٩ ـــ وَعَنْ جُبَيْرِ بْنِ مُطْعِمٍ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «يَا بَنِي عَبْدِ مَنَافٍ ، لاَ تَمْنَعُوا أَحَدًا طَافَ بِهَذَا الْبَيْتِ وَصَلَّى أَيَّةَ سَاعَةٍ شَاءَ مِنْ لَيْلٍ أَوْ نَهَارٍ». رَوَاهُ الْخَمْسَةُ ، وَصَحَّحَهُ التِّرْمِذِيُّ ، وَابْنُ حِبَّانَ .

179. Narrated Jubair bin Mut´im (RAA): The Prophet ﷺ said, **"O tribe of ´Abd Manâf, do not prevent anyone from circumambulating this house (the *Ka´bah*) or from praying therein at any time they wish."** Related by the five Imâms. At-Tirmidhî and Ibn Hibbân graded it as *Sahîh*.

١٨٠ ـــ وَعَنِ ابْنِ عُمَرَ – رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا – أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «الشَّفَقُ الْحُمْرَةُ». رَوَاهُ الدَّارَقُطْنِيُّ ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ . وَغَيْرُهُ وَقَفَهُ عَلَى ابْنِ عُمَرَ .

180. Narrated Ibn ´Umar (RAA): The Prophet ﷺ said, **"The evening twilight is its redness** (on the horizon)." Related by ad-Dârqutnî and declared authentic by Ibn Khuzaimah.

١٨١ ـــ وَعَنِ ابْنِ عَبَّاسٍ – رَضِيَ اللَّهُ عَنْهُمَا – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «الْفَجْرُ فَجْرَانِ : فَجْرٌ يُحَرِّمُ الطَّعَامَ وَتَحِلُّ فِيهِ الصَّلاَةُ ، وَفَجْرٌ تَحْرُمُ فِيهِ الصَّلاَةُ – أَيْ صَلاَةُ الصُّبْحِ – وَيَحِلُّ فِيهِ الطَّعَامُ». رَوَاهُ ابْنُ خُزَيْمَةَ وَالْحَاكِمُ وَصَحَّحَاهُ .

181. Narrated Ibn ´Abbâs (RAA): The Prophet ﷺ said, **"The dawn time, is in reality, two dawns (i.e. two times), one in which eating is *Harâm* (unlawful)[67] and prayer is permissible[68], and the other is when prayer** (i.e. the *Fajr* prayer) **is *Harâm* (prohibited) and eating is permissible."** Related by Ibn Khuzaimah and al-Hâkim and graded it as *Sahîh*.

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67- I.e. for the person intending to fast, that he should stop eating.

68- I.e. The time for praying *Fajr* is due.

١٨٢ ــ وَلِلْحَاكِمِ مِنْ حَدِيثِ جَابِرٍ نَحْوُهُ ، وَزَادَ فِي الَّذِي يُحَرِّمُ الطَّعَامَ : «إِنَّهُ يَذْهَبُ مُسْتَطِيلاً فِي الأُفُقِ». وَفِي الآخَرِ : «إِنَّهُ كَذَنَبِ السِّرْحَانِ».

182. Al-Hâkim transmitted a similar narration on the authority of Jâbir, and added that in which eating is prohibited, **'It** (the streaks of light of the true dawn) **widely spreads on the horizon,'** and the other, **'It is like the wolf's tail.[69]"**

١٨٣ ــ وَعَنِ ابْنِ مَسْعُودٍ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «أَفْضَلُ الأَعْمَالِ الصَّلاَةُ فِي أَوَّلِ وَقْتِهَا». رَوَاهُ التِّرْمِذِيُّ وَالْحَاكِمُ ، وَصَحَّحَاهُ ، وَأَصْلُهُ فِي الصَّحِيحَيْنِ .

183. Narrated Ibn Mas´ûd (RAA): The Prophet ﷺ said, **"The best of deeds, is to offer prayers at the beginning of their appointed times."** Related by at-Tirmidhî and al-Hâkim, who an authenticated it.

١٨٤ ــ وَعَنْ أَبِي مَحْذُورَةَ أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «أَوَّلُ الْوَقْتِ رِضْوَانُ اللَّهِ ، وَأَوْسَطُهُ رَحْمَةُ اللَّهِ ، وَآخِرُهُ عَفْوُ اللَّهِ». أَخْرَجَهُ الدَّارَقُطْنِيُّ بِسَنَدٍ ضَعِيفٍ جِدًّا .

184. Narrated Abû Mahdhûrah (RAA): The Prophet ﷺ said, **"Praying at the earliest time for prayer** (after the *Adhân*) **is the act, which pleases Allâh, if you pray at the middle time you will be granted Allâh's mercy, and if you pray at the latest time** (just before the next prayer) **Allâh will grant you His forgiveness."** Related by ad-Dârqutnî with an extremely weak chain of narrators.

١٨٥ ــ وَلِلتِّرْمِذِيِّ مِنْ حَدِيثِ ابْنِ عُمَرَ نَحْوُهُ ، دُونَ الأَوْسَطِ ، وَهُوَ ضَعِيفٌ أَيْضًا.

185. At-Tirmidhî transmitted on the authority of Ibn ´Umar a similar narration, but without the middle time, and it is also a

69- i.e. the light that spreads vertically up into the sky, and is followed by darkness, because it is not really the dawn light. Between both dawns, there is almost an hour's time.

very weak *Hadîth*.[70]

١٨٦ ـــ وَعَنْ ابْنِ عُمَرَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لاَ صَلاَةَ بَعْدَ الْفَجْرِ إِلاَّ سَجْدَتَيْنِ». أَخْرَجَهُ الْخَمْسَةُ إِلاَّ النَّسَائِيَّ وَفِي رِوَايَةِ عَبْدِ الرَّزَّاقِ : «لاَ صَلاَةَ بَعْدَ طُلُوعِ الْفَجْرِ إِلاَّ رَكْعَتَيِ الْفَجْرِ».

186. Narrated Ibn ´Umar (RAA): The Messenger of Allâh ﷺ said, **'No prayer is to be said after** (the beginning of) ***Fajr*** (time), **except two prostrations** (*rak´ât).*[71]" Related by the five Imâms. In the narration of ´Abdur-Razzâq, **"No prayer is to be said after the true dawn has begun, except the two *rak'ât* of al-*Fajr* prayer."**

١٨٧ ـــ وَمِثْلُهُ لِلدَّارَقُطْنِيِّ عَنْ عَمْرِو بْنِ الْعَاصِ - رَضِيَ اللَّهُ عَنْهُ - .

187. Ad-Dârqutnî transmitted a similar narration on the authority of ´Amro bin al-Âs (RAA).

١٨٨ ـــ وَعَنْ أُمِّ سَلَمَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهَا - قَالَتْ : صَلَّى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ الْعَصْرَ ، ثُمَّ دَخَلَ بَيْتِي ، فَصَلَّى رَكْعَتَيْنِ ، فَسَأَلْتُهُ ، فَقَالَ : «شُغِلْتُ عَنْ رَكْعَتَيْنِ بَعْدَ الظُّهْرِ فَصَلَّيْتُهُمَا الآنَ» ، فَقُلْتُ : أَفَنَقْضِيهِمَا إِذَا فَاتَتَا ؟ قَالَ : «لاَ» أَخْرَجَهُ أَحْمَدُ .

188. Narrated Umm Salamah (RAA): 'The Messenger of Allâh ﷺ prayed the *´Asr* prayer, and then came into my house, and prayed two *rak´ât*. Thereupon I asked him (about what he had just prayed), and he replied, **"I was busy** (doing something) **to pray the two *rak´ât* after *Dhuhr*** (until it was *´Asr* time) **so I prayed them now."** Then I asked him, 'Shall we observe them if we missed them (at their due time)? He replied, **'No.'** Related by Ahmad.

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70- As they are both narrated by Ya´qûb bin al-Walîd al-Madanî, Imâm Ahmad reported him to be one of the big liars in *Hadîth*, and Ibn Hibbân said that he used to fabricate *Hadîth*.

71- The two *rak'ah* here refer to voluntary prayer to be prayed at dawn time, i.e. before the *Fajr* prayer.

١٨٩ ــ وَلأَبِي دَاوُدَ عَنْ عَائِشَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهَا - بِمَعْنَاهُ .

189. Abû Dawûd transmitted on the authority of ´Â'ishah (RAA) a narration to the same effect.

## بَــابُ الأَذَانِ

## *Chapter II: The Call to Prayer (Adhân)*

١٩٠ ــ عَــنْ عَــبْدِ اللَّهِ بْنِ زَيْدِ بْنِ عَبْدِ رَبِّهِ قَالَ : طَافَ بِيَ - وَأَنَا نَائِمٌ - رَجُلٌ فَقَــالَ : تَقُــولُ : اللَّهُ أَكْبَرُ اللَّهُ أَكْبَرُ ، فَذَكَرَ الأَذَانَ - بِتَرْبِيعِ التَّكْبِيرِ بِغَيْرِ تَرْجِيعٍ ، وَالإِقَامَةَ فُرَادَى ، إِلاَّ قَدْ قَامَتِ الصَّلاَةُ - قَالَ : فَلَمَّا أَصْبَحْتُ أَتَيْتُ رَسُولَ اللَّهِ صَلَّى اللَّــهُ عَلَــيْهِ وَسَلَّمَ فَقَالَ : «إِنَّهَا لَرُؤْيَا حَقٌّ» الْحَدِيثُ ، أَخْرَجَهُ أَحْمَدُ وَأَبُو دَاوُدَ ، وَصَحَّحَهُ التِّرْمِذِيُّ وَابْنُ خُزَيْمَةَ .

190. Narrated ´Abdullâh bin Zaid bin ´Abd Rabbih, 'While I was sleeping, a man came to me and said, 'Say *Allâhu Akbar! Allâhu Akbar!* (Allâh is the Greatest),' and he mentioned the wording of the call to prayer, repeating the *Takbîr* four times without *Tarjî´* (repeating the rest of the phrases of the *Adhân* twice), and the *Iqâmah* once,[72] except for the phrase, *qad Qâmatussalâh*[73] (which is said twice). When the morning came, I went to the Messenger of Allâh (to tell him what I had seen). He said, **"Your dream is true..."** Related by Ahmad and Abû Dawûd, At-Tirmidhî and Abû Khuzaimah authenticated it[74].

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72- i.e. saying each phrase of the *Adhân* once, apart from the *Takbîr* which is said twice.

73- The time for performing the prayer has arrived.

74- When the Prophet ﷺ emigrated to Madînah and built his mosque, the number of Muslims increased, and they were no longer afraid to assemble to perform prayers in public. The Prophet ﷺ consulted his Companions about the best way to announce the prayer. Some mentioned raising a banner that everybody could see, others suggested lighting a fire, but the Prophet ﷺ rejected the idea as this act is limited to the Magians who worshipped fire. Some also suggested using a bell or a tru-mpet like the Christians and the Jews, but this was also rejected by the Prophet ﷺ as they would be imitating them. But the Messenger of Allâh ﷺ

١٩١ ـــ وَزَادَ أَحْمَــدُ فِــي آخِرِهِ قِصَّةَ قَوْلِ بِلاَلٍ فِي أَذَانِ الْفَجْرِ : «الصَّلاَةُ خَيْرٌ مِنَ النَّوْمِ».

191. Ahmad added to the call to prayer *(Adhân)*, what Bilâl used to say in the *Fajr* prayer, "Prayer is better than sleep."

١٩٢ ـــ وَلاِبْــنِ خُــزَيْمَةَ عَنْ أَنَسٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «مِنَ السُّنَّةِ إِذَا قَالَ الْمُؤَذِّنُ فِي الْفَجْرِ : حَيَّ عَلَى الْفَلاَحِ ، قَالَ : الصَّلاَةُ خَيْرٌ مِنَ النَّوْمِ».

192. Ibn Khuzaimah transmitted on the authority of Anas (RAA): 'It is part of the *Sunnah* that when the one who calls to prayer says in the *Fajr* prayer, '*Hayya 'alal-Falâh* (come to success), he must then say, 'Prayer is better than sleep.'

١٩٣ ـــ وَعَنْ أَبِي مَحْذُورَةَ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَلَّمَهُ الأَذَانَ ، فَذَكَــرَ فِــيهِ التَّرْجِيعَ . أَخْرَجَهُ مُسْلِمٌ ، وَلَكِنْ ذَكَرَ التَّكْبِيرَ فِي أَوَّلِهِ مَرَّتَيْنِ فَقَطْ . وَرَوَاهُ الْخَمْسَةُ فَذَكَرُوهُ مُرَبَّعًا .

193. Narrated Abû Mahdhûrah (RAA): that the Messenger of Allâh ﷺ taught him the *Adhân*, and he mentioned *Tarjî'* (repeating the rest of the phrases of the *Adhân* twice) in the *Adhân*. Rel-

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thought for a while and said, **'Aren't the Christians the nearest in love to the believers (the Muslims)?' (*sûrah al-Mâ'idah*), Isn't it less dangerous to do like the Christians than the Jews? Why don't we use a bell until Allâh tells us about the best thing to do.'** He ordered a bell to be made, but 'Umar suggested that a man should stand at the door of the mosque or a high place to call to the prayer in a loud voice. The Prophet ﷺ agreed and ordered Bilâl to call for the pray saying, 'Come to congregational prayer." People returned home thinking about this issue, and 'Abdullâh bin Zaid saw a dream as he narrates, "I saw a man carrying a bell in his hand, I asked him: 'Would you sell me this bell?" The man asked, 'What do you need the bell for?' I answered, "I would call the people to prayer." The man then said, 'Shall I tell you something better?' I said, "Certainly.." He said, 'Say *Allâhu Akbar....*' When he told the Prophet ﷺ about the dream, he ordered him to go to Bilâl and tell him to make the call for the prayer (*Adhân*), for he has the best voice. When 'Umar (RAA) heard the *Adhân*, he came out with his cloak, saying, 'By the One who has sent you with the truth, I saw something similar to what he saw in my dream.' The Prophet ﷺ then said, **"All Praise be to Allâh."**

ated by Muslim, but he mentioned the *Takbîr* "Allâh is the Greatest," twice only at its beginning, while the five Imâms related the *Hadîth* but mentioned that the *Takbîr* is said four times at the beginning.

١٩٤ ــ وَعَــنْ أَنَسٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «أُمِرَ بِلاَلٌ أَنْ يَشْفَعَ الأَذَانَ شَفْعًا ، وَيُوتِرَ الإِقَامَةَ ، إِلاَّ الإِقَامَةَ ، يَعْنِي : إِلاَّ قَدْ قَامَتِ الصَّلاَةُ». مُتَّفَقٌ عَلَيْهِ ، وَلَمْ يَذْكُرْ مُسْلِمٌ الإِسْتِثْنَاءَ .

194. Narrated Anas (RAA): 'Bilâl was ordered to repeat the phrases of the call to prayer *(Adhân)* twice, and the phrases of the *Iqâmah* once, except for the phrase *'qad Qâmatussalâh'* (the time for performing the prayer has come). Agreed upon.

١٩٥ ــ وَلِلنَّسَائِيِّ : «أَمَرَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بِلاَلاً».

195. In another narration by an-Nasâ'î, 'The Prophet ﷺ ordered Bilâl.'

١٩٦ ــ وَعَــنْ أَبِي جُحَيْفَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : « رَأَيْتُ بِلاَلاً يُؤَذِّنُ وَأَتَتَبَّعُ فَاهُ ، هَهُنَا وَهَهُنَا ، وَإِصْبَعَاهُ فِي أُذُنَيْهِ». رَوَاهُ أَحْمَدُ وَالتِّرْمِذِيُّ وَصَحَّحَهُ .

196. Narrated Abû Juhaifah (RAA), 'I saw Bilâl calling for the prayer, and I saw the movement of his mouth from this side to that side,[75] and his fingers were in his ears.' Related by Ahmad and At-Tirmidhî.

١٩٧ ــ وَلاِبْنِ مَاجَهْ : «وَجَعَلَ إِصْبَعَيْهِ فِي أُذُنَيْهِ».

197. In a version by Ibn Mâjah he said, 'He put his fingers in his ears.'

١٩٨ ــ وَلأَبِــي دَاوُدَ : «لَوَى عُنُقَهُ ، لَمَّا بَلَغَ حَيَّ عَلَى الصَّلاَةِ ، يَمِينًا وَشِمَالاً ، وَلَمْ يَسْتَدِرْ». وَأَصْلُهُ فِي الصَّحِيحَيْنِ .

75- He means that Bilâl was turning his head, to the right upon saying *'Haya 'alas-salâh'* (Come to the prayer) and to the left upon saying *'Haya 'alal-Falâh'* (Come to success).

198. In the narration of Abû Dawûd, 'When Bilâl reached the phrase, '*Haya 'alas-salâh* (Come to the prayer), he turned his neck to the right and the left, but did not turn himself.' The original full narration of this *Hadîth* is found in Al-Bukhârî and Muslim.

١٩٩ ـــ وَعَنْ أَبِي مَحْذُورَةَ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَعْجَبَهُ صَوْتُهُ ، فَعَلَّمَهُ الأَذَانَ». رَوَاهُ ابْنُ خُزَيْمَةَ .

199. Narrated Abû Mahdhûrah (RAA): that the Messenger of Allâh ﷺ liked his voice, so he taught him the call to prayer.' Related by Ibn Khuzaimah.

٢٠٠ ـــ وَعَنْ جَابِرِ بْنِ سَمُرَةَ قَالَ : «صَلَّيْتُ مَعَ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ الْعِيدَيْنِ ، غَيْرَ مَرَّةٍ ، وَلاَ مَرَّتَيْنِ ، بِغَيْرِ أَذَانٍ وَلاَ إِقَامَةٍ». رَوَاهُ مُسْلِمٌ .

200. Narrated Jâbir bin Samurah, 'I prayed along with the Prophet ﷺ the two *'Îd* (feast) festival prayers, not only once or twice, without *Adhân or Iqâmah.'* Related by Muslim.

٢٠١ ـــ وَنَحْوُهُ فِي الْمُتَّفَقِ عَلَيْهِ عَنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - وَغَيْرِهِ .

201. Al-Bukhârî and Muslim transmitted something to the same effect on the authority of Ibn 'Abbâs (RAA).

٢٠٢ ـــ وَعَنْ أَبِي قَتَادَةَ - رَضِيَ اللَّهُ عَنْهُ - فِي الْحَدِيثِ الطَّوِيلِ فِي نَوْمِهِمْ عَنِ الصَّلاَةِ - : «ثُمَّ أَذَّنَ بِلاَلٌ ، فَصَلَّى النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَمَا كَانَ يَصْنَعُ كُلَّ يَوْمٍ». رَوَاهُ مُسْلِمٌ .

202. Narrated Abû Qatâdah (RAA): in a long tradition when they missed the prayer because of sleeping, 'and then Bilâl said the *Adhân,* and the Prophet ﷺ prayed as he used to do every day.' Related by Muslim.

٢٠٣ ـــ وَلَهُ عَنْ جَابِرٍ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَتَى الْمُزْدَلِفَةَ فَصَلَّى بِهَا الْمَغْرِبَ وَالْعِشَاءَ ، بِأَذَانٍ وَاحِدٍ وَإِقَامَتَيْنِ».

203. Muslim related on the authority of Jâbir (RAA) : that the

Prophet ﷺ came to al-Muzdalifah and prayed the *Maghrib* and *'Ishâ* prayers with one *Adhân* and two *Iqâmas.*

٢٠٤ ـــ وَلَـهُ عَـنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - : «جَمَعَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بَيْنَ الْمَغْرِبِ وَالْعِشَاءِ بِإِقَامَةٍ وَاحِدَةٍ» ، وَزَادَ أَبُو دَاوُدَ : لِكُلِّ صَلاَةٍ ، وَفِي رِوَايَةٍ لَهُ : وَلَمْ يُنَادِ فِي وَاحِدَةٍ مِنْهُمَا».

204. In another narration by Muslim on the authority of Ibn 'Umar, 'The Prophet ﷺ combined the *Maghrib* and *'Ishâ'* prayers with one *Iqâmah.'* Abû Dawûd added, 'Each prayer with an *Iqâmah.'* In another version by Abû Dawûd, 'He did not (order the caller to) call for the prayer in any of them.'

٢٠٥ ـــ وَعَنِ ابْنِ عُمَرَ وَعَائِشَةَ - رَضِيَ اللَّهُ عَنْهُمْ - قَالاَ : قَالَ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِنَّ بِلاَلاً يُؤَذِّنُ بِلَيْلٍ ، فَكُلُوا وَاشْرَبُوا حَتَّى يُنَادِيَ ابْنُ أُمِّ مَكْتُومٍ» ، وَكَـانَ رَجُلاً أَعْمَى لاَ يُنَادِي ، حَتَّى يُقَالَ لَهُ : أَصْبَحْتَ ، أَصْبَحْتَ . مُتَّفَقٌ عَلَيْهِ ، وَفِي آخِرِهِ إِدْرَاجٌ .

205. Narrated Ibn 'Umar and 'Â'ishah (RAA): "Allâh's Messenger ﷺ said, **"Bilâl says the *Adhân* (for the *Fajr)* during the night, so eat and drink until you hear the *Adhân* of Ibn Umm Maktûm."** The narrator added that Ibn Umm Maktûm was a blind man who did not call for the prayer, till someone told him, 'The day has dawned, the day has dawned.' Agreed upon.

٢٠٦ ـــ وَعَـنِ ابْـنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - أَنَّ بِلاَلاً أَذَّنَ قَبْلَ الْفَجْرِ ، فَأَمَرَهُ النَّـبِيُّ صَـلَّى اللَّـهُ عَلَـيْهِ وَسَلَّمَ أَنْ يَرْجِعَ ، فَيُنَادِيَ : «أَلاَ إِنَّ الْعَبْدَ نَامَ». رَوَاهُ أَبُو دَاوُدُ ، وَضَعَّفَهُ .

206. Narrated Ibn 'Umar (RAA): that Bilâl called for the prayer before the breaking of dawn, and the Prophet ﷺ therefore ordered him to go back and say, 'Lo! The servant of Allâh has slept.' Related by Abû Dawûd, who declared it to be weak.

٢٠٧ ـــ وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا سَمِعْتُمُ النِّدَاءَ فَقُولُوا مِثْلَ مَا يَقُولُ الْمُؤَذِّنُ». مُتَّفَقٌ عَلَيْهِ .

207. Narrated Abû Sa'îd al-Khudrî (RAA): Allâh's Messenger ﷺ said, **"When you hear the *Adhân* repeat what the caller is saying."** Agreed upon.

٢٠٨ ـــ وَلِلْبُخَارِيِّ عَنْ مُعَاوِيَةَ - رَضِيَ اللَّهُ عَنْهُ - مِثْلُهُ .

208. Al-Bukhârî related a similar narration on the authority of Mu'âwiyah.

٢٠٩ ـــ وَلِمُسْلِمٍ عَنْ عُمَرَ - رَضِيَ اللَّهُ عَنْهُ - فِي فَضْلِ الْقَوْلِ كَمَا يَقُولُ الْمُؤَذِّنُ كَلِمَةً كَلِمَةً ، سِوَى الْحَيْعَلَتَيْنِ ، فَيَقُولُ : «لاَ حَوْلَ وَلاَ قُوَّةَ إِلاَّ بِاللَّهِ».

209. Muslim transmitted on the authority of 'Umar (RAA): the virtue of repeating what the caller is saying, word for word, except when the caller says, '*Hayya 'alal-Falâh*' (come to success), '*Haya 'alas-salâh*' (Come to the prayer), he then says, *wa lâ haw-ala wa lâ Quwata illâ billâh-'Aliyyil-'Adheem.'* (There is no power or might except by Allâh's leave).

٢١٠ ـــ وَعَنْ عُثْمَانَ بْنِ أَبِي الْعَاصِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : يَا رَسُولَ اللَّهِ اجْعَلْنِي إِمَامَ قَوْمِي . فَقَالَ : «أَنْتَ إِمَامُهُمْ ، وَاقْتَدِ بِأَضْعَفِهِمْ ، وَاتَّخِذْ مُؤَذِّنًا لاَ يَأْخُذُ عَلَى أَذَانِهِ أَجْرًا». أَخْرَجَهُ الْخَمْسَةُ ، وَحَسَّنَهُ التِّرْمِذِيُّ ، وَصَحَّحَهُ الْحَاكِمُ .

210. Narrated 'Uthmân bin Abûl 'Âs (RAA): that he said, 'O Messenger of Allâh, appoint me as the Imâm of my people.' He replied ﷺ, **"You are their Imâm. Be careful about the weak amongst them,[76] and appoint a caller to the prayer, who does not accept payment for his *Adhân*."** Related by the five Imâms and At-Tirmidhî authenticated it.

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76- i.e. take into consideration,–when you pray, the weakest among them (whether sick or old), so as not to lengthen the prayer beyond their ability

٢١١ ــ وَعَــنْ مَالِكِ بْنِ الْحُوَيْرِثِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ لَنَا النَّبِيُّ صَلَّى اللَّـهُ عَلَـيْهِ وَسَـلَّمَ : «إِذَا حَضَـرَتِ الصَّلَاةُ فَلْيُؤَذِّنْ لَكُمْ أَحَدُكُمْ» الْحَدِيثَ ، أَخْرَجَهُ السَّبْعَةُ .

211. Narrated Mâlik Ibn Al-Huwairith (RAA): The Messenger of Allâh ﷺ said, **'When the time for prayer is due, let one of you call the *Adhân*."** Related by the seven Imâms.

٢١٢ ــ وَعَــنْ جَابِرٍ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ لِبِلَالٍ : «إِذَا أَذَّنْتَ فَتَرَسَّلْ ، وَإِذَا أَقَمْتَ فَاحْدُرْ ، وَاجْعَلْ بَيْنَ أَذَانِكَ وَإِقَامَتِكَ مِقْدَارَ مَا يَفْرُغُ الْآكِلُ مِنْ أَكْلِهِ». الْحَدِيثَ رَوَاهُ التِّرْمِذِيُّ وَضَعَّفَهُ .

212. Narrated Jâbir (RAA): The Messenger of Allâh ﷺ said to Bilâl, **"When you call the *Adhân*, you should pause between each phrase, but when you say the *Iqâmah*, be quick, and leave enough time between the *Adhân* and the *Iqâmah* for one who is eating to finish his food."** Related by At-Tirmidhî who declared it to be weak.

٢١٣ ــ وَلَـهُ عَـنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لَا يُؤَذِّنُ إِلَّا مُتَوَضِّئٌ» ، وَضَعَّفَهُ أَيْضًا .

213. Narrated Abû Hurairah (RAA): The Prophet ﷺ said, **'None should call for the prayer unless he has ablution."** Related by At-Tirmidhî who declared it to be weak.

٢١٤ ــ وَلَهُ عَنْ زِيَادِ بْنِ الْحَارِثِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «وَمَنْ أَذَّنَ فَهُوَ يُقِيمُ». وَضَعَّفَهُ أَيْضًا .

214. Narrated Ziâd bin al-Hârith (RAA): The Prophet ﷺ said, **'Whoever calls the *Adhân* should also call for the *Iqâmah*."** Related by At-Tirmidhî and he also declared it to be weak.

٢١٥ ــ وَلِأَبِـي دَاوُدَ مِـنْ حَدِيـثِ عَبْدِ اللَّهِ بْنِ زَيْدٍ أَنَّهُ قَالَ : أَنَا رَأَيْتُهُ - يَعْنِي الْأَذَانَ - وَأَنَا كُنْتُ أُرِيدُهُ . قَالَ : «فَأَقِمْ أَنْتَ» ، وَفِيهِ ضَعْفٌ أَيْضًا .

215. Abû Dawûd related on the authority of 'Abdullâh bin

Zaid, 'I saw it (i.e. the *Adhân* in a dream) and I wished to call it. The Prophet ﷺ, **"Then you call the *Iqâmah*."** It is also weak.

٢١٦ ـــ وَعَنْ أَبِي هُرَيْرَةَ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «الْمُؤَذِّنُ أَمْلَكُ بِالأَذَانِ ، وَالإِمَامُ أَمْلَكُ بِالإِقَامَةِ». رَوَاهُ ابْنُ عَدِيٍّ وَضَعَّفَهُ .

216. Narrated Abû Hurairah (RAA): The Prophet ﷺ said, **'The call maker is the one who is responsible for the *Adhân*[77], and the Imâm is the one responsible for the *Iqâmah*."**[78] Related by Ibn 'Adî who declared it to be weak.

٢١٧ ـــ وَلِلْبَيْهَقِيِّ نَحْوُهُ عَنْ عَلِيٍّ - رَضِيَ اللَّهُ عَنْهُ - مِنْ قَوْلِهِ .

217. Al-Baihaqî transmitted something similar on the authority of 'Alî.

٢١٨ ـــ وَعَنْ أَنَسٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ يُرَدُّ الدُّعَاءُ بَيْنَ الأَذَانِ وَالإِقَامَةِ». رَوَاهُ النَّسَائِيُّ ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ .

218. Narrated Anas (RAA): The Prophet ﷺ said, **'A supplication made between the *Adhân* and the *Iqâmah* is never rejected."** Related by an-Nasâ'î, Ibn Khuzaimah, who authenticcated it.

٢١٩ ـــ وَعَنْ جَابِرٍ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «مَنْ قَالَ حِينَ يَسْمَعُ النِّدَاءَ : اللَّهُمَّ رَبَّ هَذِهِ الدَّعْوَةِ التَّامَّةِ ، وَالصَّلاَةِ الْقَائِمَةِ ، آتِ مُحَمَّدًا الْوَسِيلَةَ وَالْفَضِيلَةَ ، وَابْعَثْهُ مَقَامًا مَحْمُودًا الَّذِي وَعَدْتَهُ ، حَلَّتْ لَهُ شَفَاعَتِي يَوْمَ الْقِيَامَةِ». أَخْرَجَهُ الأَرْبَعَةُ .

219. Narrated Jâbir (RAA): The Prophet ﷺ said, **"Whoever says, when he hears the *Adhân*: 'Oh Allâh, Lord of this per-**

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77- He is entrusted him with the time of the *Adhân*, and it is his responsibility to decide the time for prayer.

78- No one should call the *Iqâmah* except when the Imâm asks him to do so.

**fect call[79] and the established prayers,[80] grant Muhammad the status of *Wasîlah*[81] and the most virtuous place,[82] and raise him to a praised position,[83] You have promised him,' will be entitled to my intercession on the Day of Judgment."** Related by the four Imâms.

## بَـــابُ شُـــرُوطِ الصَّـــلاَةِ

## *Chapter III: The Prerequisites of prayer*

٢٢٠ ـــ عَنْ عَلِيِّ بْنِ طَلْقٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ : «إِذَا فَسَـــا أَحَدُكُمْ فِي الصَّلاَةِ فَلْيَنْصَرِفْ ، وَلْيَتَوَضَّأْ ، وَلْيُعِدِ الصَّلاَةَ». رَوَاهُ الْخَمْسَةُ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

220. Narrated 'Alî bin Talq (RAA): Allâh's Messenger ﷺ said, **"When any of you passes wind during prayer, he must leave the prayer, perform ablution and repeat the prayer."** Related by the five Imâms and was graded as authentic by Ibn Hibbân.

٢٢١ ـــ وَعَـــنْ عَائِشَـــةَ - رَضِيَ اللَّهُ عَنْهَا - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لاَ يَقْـــبَلُ اللَّـــهُ صَـــلاَةَ حَائِضٍ إِلاَّ بِخِمَارٍ». رَوَاهُ الْخَمْسَةُ إِلاَّ النَّسَائِيَّ وَصَحَّحَهُ ابْنُ خُزَيْمَةَ .

221. Narrated 'Â'ishah (RAA): Allâh's Messenger ﷺ said, **"Allâh does not accept the prayer of an adult woman unless**

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79- This most probably refers to of "Monotheism," (which is part of the *Adhân*) and it is perfect as it antagonizes atheism and associating others with Allâh in worship (polytheism), and it is also perfect as it is preserved from being changed or altered. (Ibn Hajar in *Fath al-Bârî*).

80- The established prayer may refer to its being performed constantly (as it is always called for) or may also refer to the prayer about to be performed. (see *Fath al-Bârî*).

81- See the glossary for an explanation of its meaning.

82- This refers to a status, which is higher than that of all Allâh's servants.

83- It refers to Intercession on behalf of his followers on the Day of Judgment.

**she is wearing a head covering *(Khimâr, hijâb)*."** Related by the five Imâms and was declared as authentic by Ibn Khuzaimah.

٢٢٢ ـــ وَعَــنْ جَابِرٍ – رَضِيَ اللَّهُ عَنْهُ – أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ لَهُ : «إِذَا كَــانَ الثَّوْبُ وَاسِعًا فَالْتَحِفْ بِهِ – يَعْنِي فِي الصَّلاَةِ». وَلِمُسْلِمٍ : «فَخَالِفْ بَيْنَ طَرَفَيْهِ ، وَإِنْ كَانَ ضَيِّقًا فَاتَّزِرْ بِهِ». مُتَّفَقٌ عَلَيْهِ .

222. Narrated Jâbir (RAA): Allâh's Messenger ﷺ said, **"If the garment is large enough, wrap it round your body**[84] (when you pray)." And in the narration of Muslim, **'you should have its ends crossed with each other** (i.e. if the garment is large) **and if it is tight then use it as *Izâr*** (tie it round your waist)." Agreed upon.

٢٢٣ ـــ وَلَهُمَا مِنْ حَدِيثِ أَبِي هُرَيْرَةَ – رَضِيَ اللَّهُ عَنْهُ – : «لاَ يُصَلِّي أَحَدُكُمْ فِي الثَّوْبِ الْوَاحِدِ لَيْسَ عَلَى عَاتِقِهِ مِنْهُ شَيْءٌ».

223. Narrated Abû Hurairah (RAA): Allâh's Messenger ﷺ said, **"None of you must pray in a single garment, with no part of it covering his shoulders."** Agreed upon.

٢٢٤ ـــ وَعَــنْ أُمِّ سَــلَمَةَ – رَضِــيَ اللَّهُ عَنْهَا – أَنَّهَا سَأَلَتْ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : أَتُصَلِّي الْمَرْأَةُ فِي دِرْعٍ وَخِمَارٍ ، بِغَيْرِ إِزَارٍ ؟ قَالَ : «إِذَا كَانَ الدِّرْعُ سَابِغًا يُغَطِّي ظُهُورَ قَدَمَيْهَا». أَخْرَجَهُ أَبُو دَاوُدَ . وَصَحَّحَ الأَئِمَّةُ وَقْفَهُ .

224. Narrated Umm Salamah (RAA): that she asked the Messenger of Allâh ﷺ, 'Can a woman pray in a long shirt (like a night dress) and head covering without *Izâr* (loincloth)?' He said, **"If the shirt is long and flowing and covers the top of her feet."** Related by Abû Dawûd.

٢٢٥ ـــ وَعَنْ عَامِرِ بْنِ رَبِيعَةَ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : كُنَّا مَعَ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ فِي لَيْلَةٍ مُظْلِمَةٍ ، فَأَشْكَلَتْ عَلَيْنَا الْقِبْلَةُ ، فَصَلَّيْنَا ، فَلَمَّا طَلَعَتِ الشَّمْسُ إِذَا

84- Covering the shoulders.

نَحْـــنُ صَلَّيْنَا إِلَى غَيْرِ الْقِبْلَةِ ، فَنَزَلَتْ : {فَأَيْنَمَا تُوَلُّوا فَثَمَّ وَجْهُ اللَّهِ}[الْبَقَرَة : ١١٥] أَخْرَجَهُ التِّرْمِذِيُّ وَضَعَّفَهُ .

225. Narrated 'Âmir bin Rabî'ah (RAA): 'We were with the Prophet ﷺ (traveling), on a dark night, and the direction of the *Qiblah* was difficult to determine, so we prayed (without knowing the exact direction of the *Qiblah*). When the sun rose we were surprised that we had prayed facing a direction other than the *Qiblah*. Thereupon the verse was revealed, **"And to Allâh belongs the east and the west. Wherever you turn yourselves or your faces there is the Face of Allâh."** Related by At-Tirmidhî, who declared it to be weak.

٢٢٦ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَا بَيْنَ الْمَشْرِقِ وَالْمَغْرِبِ قِبْلَةٌ». رَوَاهُ التِّرْمِذِيُّ وَقَوَّاهُ الْبُخَارِيُّ .

226. Narrated Abû Hurairah (RAA): Allâh's Messenger ﷺ said, **"The area** (falling between) **between the east and the west is considered to be the *Qiblah*."**[85] Related by At-Tirmidhî.

٢٢٧ ــ وَعَـــنْ عَامِرِ بْنِ رَبِيعَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «رَأَيْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يُصَلِّي عَلَى رَاحِلَتِهِ حَيْثُ تَوَجَّهَتْ بِهِ». مُتَّفَقٌ عَلَيْهِ ، زَادَ الْبُخَارِيُّ : يُومِيءُ بِرَأْسِهِ - وَلَمْ يَكُنْ يَصْنَعُهُ فِي الْمَكْتُوبَةِ .

227. Narrated 'Âmir bin Râbî'ah (RAA): 'I saw the Messenger of Allâh ﷺ, perform (optional prayer) while riding on his mount (camel), facing whichever direction it (the mount) turned.[86]' Agre-

85- Ibn 'Umar said, 'If you put the west on your right and the east on your left, then the area between them is a *Qiblah*. This *Hadîth* is a proof that what is required is to face the direction of the *Qiblah* –i.e. the *Ka'bah*- and not the actual building or structure, for those who find it difficult to determine its actual position. But this *Hadîth* refers to the people of *Madînah* and whoever has a position similar to them (i.e. those in Syria, the Arabian Peninsula and Iraq). For the people of Egypt, the *Qiblah* is between the East and the South (Fiqh us-Sunnah, as-Sayyid Sâbiq, Chapter of 'prerequisites of prayer').

86- I.e. he was not facing the *Qiblah*, as he was traveling.

ed upon. In the narration of al-Bukhârî, 'he nodded his head slightly,[87] and he would not do this in the obligatory prayer.'

٢٢٨ ــ وَلأَبي دَاوُدَ مِنْ حَدِيثِ أَنَسٍ – رَضِيَ اللَّهُ عَنْهُ – : «وَكَانَ إِذَا سَافَرَ فَأَرَادَ أَنْ يَتَطَوَّعَ اسْتَقْبَلَ بِنَاقَتِهِ الْقِبْلَةَ ، فَكَبَّرَ ثُمَّ صَلَّى حَيْثُ كَانَ وَجْهُ رِكَابِهِ». وَإِسْنَادُهُ حَسَنٌ .

228. Narrated Anas Ibn Mâlik (RAA): "When the Messenger of Allâh ﷺ was on a journey and he wanted to pray voluntary prayers, he turned his mount towards the *Qiblah*, said the *takbîr (Allâhu Akbar)* and then prayed towards whichever direction his mount turned to." Related by Abû Dawûd, with a good chain of narrators.

٢٢٩ ــ وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ – رَضِيَ اللَّهُ عَنْهُ – أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «الأَرْضُ كُلُّهَا مَسْجِدٌ إِلاَّ الْمَقْبَرَةَ وَالْحَمَّامَ». رَوَاهُ التِّرْمِذِيُّ ، وَلَهُ عِلَّةٌ.

229. Narrated Abû Sa'îd al-Khudrî (RAA): Allâh's Messenger ﷺ said, **"The whole earth is a mosque** (i.e. suitable place for performing prayer), **with the exception of graveyards and th public baths."** Related by At-Tirmidhî, but it has a defect in its chain of narrators.[88]

٢٣٠ ــ وَعَنِ ابْنِ عُمَرَ – رَضِيَ اللَّهُ عَنْهُمَا – : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ نَهَى أَنْ يُصَلَّى فِي سَبْعِ مَوَاطِنَ : الْمَزْبَلَةِ ، وَالْمَجْزَرَةِ ، وَالْمَقْبَرَةِ ، وَقَارِعَةِ الطَّرِيقِ ، وَالْحَمَّامِ ، وَمَعَاطِنِ الإِبِلِ ، وَفَوْقَ ظَهْرِ بَيْتِ اللَّهِ تَعَالَى». رَوَاهُ التِّرْمِذِيُّ وَضَعَّفَهُ .

230. Narrated 'Abdullâh Ibn 'Umar (RAA): 'Allâh's Messenger narrated 'Abdullâh Ibn 'Umar (RAA): Allâh's Messenger ﷺ said in seven places: dunghills, slaughterhouses, graveyards, in the middle of the road, bathhouses, places where camels kneel to drink, and on the top of Allâh's house *(i.e. the Ka'bah)*. Related by At-Tirmidhî who declared it to be weak.

87- i.e. for *Rukû'* (bowing) and *Sujûd* (prostration).

88- There was a difference of opinion over which is connected to the Prophet ﷺ or if the *Hadîth* was *Mursal* (see *Hadîth* no. 80).

٢٣١ ــ وَعَنْ أَبِي مَرْثَدٍ الْغَنَوِيِّ قَالَ : سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ : «لاَ تُصَلُّوا إِلَى الْقُبُورِ ، وَلاَ تَجْلِسُوا عَلَيْهَا». رَوَاهُ مُسْلِمٌ .

231. Narrated Abû Marthad al-Ghanawî, 'I heard the Messenger of Allâh ﷺ say, **"Do not pray facing graveyards and do not sit on them."** Related by Muslim.

٢٣٢ ــ وَعَنْ أَبِي سَعِيدٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا جَاءَ أَحَدُكُمُ الْمَسْجِدَ ، فَلْيَنْظُرْ ؛ فَإِنْ رَأَى فِي نَعْلَيْهِ أَذًى ، أَوْ قَذَرًا فَلْيَمْسَحْهُ ، وَلْيُصَلِّ فِيهِمَا». أَخْرَجَهُ أَبُو دَاوُدَ ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ .

232. Narrated Abû Sa'îd al-Khudrî (RAA): Allâh's Messenger ﷺ said, **"When one of you comes to the mosque, he should turn his shoes** (sandals or *khuff*) **over, and examine them. If one finds any dirt** (*Najâsah*) **on them, he should rub them against the ground and pray in them."** Related by Abû Dawûd and Ibn Khuzaimah graded it as *Hadîth Sahîh*.

٢٣٣ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا وَطِئَ أَحَدُكُمُ الأَذَى بِخُفَّيْهِ فَطَهُورُهُمَا التُّرَابُ». أَخْرَجَهُ أَبُو دَاوُدَ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

233. Narrated Abû Hurairah (RAA): The Prophet ﷺ said, **"When any of you treads with his *Khuff* on something which is unclean (*Najis*), he should purify them with dust."** Related by Abû Dawûd, and Ibn Hibbân graded it as *Sahîh*.

٢٣٤ ــ وَعَنْ مُعَاوِيَةَ بْنِ الْحَكَمِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِنَّ هَذِهِ الصَّلاَةَ لاَ يَصْلُحُ فِيهَا شَيْءٌ مِنْ كَلاَمِ النَّاسِ ، إِنَّمَا هُوَ التَّسْبِيحُ ، وَالتَّكْبِيرُ ، وَقِرَاءَةُ الْقُرْآنِ». رَوَاهُ مُسْلِمٌ .

234. Narrated Mu'âwiyah bin al-Hakam (RAA): The Prophet ﷺ said, **"Talking to others is not appropriate during prayer, for prayer is for glorifying Allâh** (saying *Tasbîh*), **exalting His greatness** (saying *Allîhu Akbar*) **and reciting the Qur'ân."** Related by Muslim.

٢٣٥ ــ وَعَنْ زَيْدِ بْنِ أَرْقَمَ أَنَّهُ قَالَ : «إِنْ كُنَّا لَنَتَكَلَّمُ فِي الصَّلَاةِ عَلَى عَهْدِ رَسُولِ اللَّـهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، يُكَلِّمُ أَحَدُنَا صَاحِبَهُ بِحَاجَتِهِ ، حَتَّى نَزَلَتْ : {حَافِظُوا عَلَـى الصَّـلَوَاتِ وَالصَّلَاةِ الْوُسْطَى وَقُومُوا لِلَّهِ قَانِتِينَ} [الْبَقَرَة : ٢٣٨] ، فَأُمِرْنَا بِالسُّكُوتِ ، وَنُهِينَا عَنِ الْكَلَامِ». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِمُسْلِمٍ .

235. Narrated Zaid bin Arqam (RAA): "We used to talk while we were in prayer, in the lifetime of Allâh's Messenger ﷺ. A person would speak to the person next to him until the verse was revealed, ***"Guard strictly the (five obligatory) prayers especially the middle prayer, and stand before Allâh with devout obedience (do not speak with one another)" (2:238).*** And we were then commanded to observe silence during prayer, and were forbidden to talk." Agreed upon, and the wording is Muslim's.

٢٣٦ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـلَّمَ : «التَّسْـبِيحُ لِلـرِّجَالِ ، وَالتَّصْـفِيقُ لِلنِّسَاءِ». مُتَّفَقٌ عَلَيْهِ ، زَادَ مُسْلِمٌ : «فِي الصَّلَاةِ».

236. Narrated Abû Hurairah (RAA): The Prophet ﷺ said, **"Saying *subhanallâh* is for men, and clapping is for women."**[89] Agreed upon. Muslim has the extra phrase in his narration, **'in prayer.'**

٢٣٧ ــ وَعَـنْ مُطَرِّفِ بْنِ عَبْدِ اللَّهِ بْنِ الشِّخِّيرِ عَنْ أَبِيهِ قَالَ : «رَأَيْتُ رَسُولَ اللَّهِ صَـلَّى اللَّـهُ عَلَـيْهِ وَسَلَّمَ يُصَلِّي ، وَفِي صَدْرِهِ أَزِيزٌ كَأَزِيزِ الْمِرْجَلِ مِنَ الْبُكَاءِ». أَخْرَجَهُ الْخَمْسَةُ إِلَّا ابْنُ مَاجَهْ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

237. Narrated 'Abdullâh Ibn ash-Shikhkhir, 'I saw the Messenger of Allâh ﷺ praying while his chest was 'buzzing' like the rumbling of a boiler, due to crying.' Related by the five Imâms except for Ibn Mâjah, and Ibn Hibbân authenticated it.

89- It is allowed, if there is a need such as alerting the Imâm to a mistake, warning a blind person etc..

٢٣٨ ــ وَعَــنْ عَلِيٍّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «كَانَ لِي مِنْ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَــيْهِ وَسَــلَّمَ مَدْخَلانِ ، فَكُنْتُ إِذَا أَتَيْتُهُ وَهُوَ يُصَلِّي تَنَحْنَحَ لِي». رَوَاهُ النَّسَائِيُّ ، وَابْنُ مَاجَهْ .

238. Narrated ʿAlî (RAA): 'I used to visit the Messenger of Allâh ﷺ twice (every day, at certain times). Whenever I entered to where he was while he was praying, he would clear his throat (as a sign that I may enter). Related by an-Nasâ'î and Ibn Mâjah.

٢٣٩ ــ وَعَــنْ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : «قُلْتُ لِبِلالٍ : كَيْفَ رَأَيْتَ النَّــبِيَّ صَــلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَرُدُّ عَلَيْهِمْ حِينَ يُسَلِّمُونَ عَلَيْهِ ، وَهُوَ يُصَلِّي ؟ قَالَ : يَقُولُ هَكَذَا ، وَبَسَطَ كَفَّهُ». أَخْرَجَهُ أَبُو دَاوُدَ وَالتِّرْمِذِيُّ وَصَحَّحَهُ .

239. Narrated Ibn ʿUmar (RAA), 'I asked Bilâl: "How did you see the Messenger of Allâh ﷺ respond when people greeted him while he was He said, "He would signal to them with his hand." Related by Abû Dawûd and at-Tirmidhî who graded it as <u>*Sahîh*</u>.

٢٤٠ ــ وَعَنْ أَبِي قَتَادَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ يُصَــلِّي وَهُــوَ حَامِلُ أُمَامَةَ - بِنْتَ زَيْنَبَ - فَإِذَا سَجَدَ وَضَعَهَا ، وإِذَا قَامَ حَمَلَهَا». مُتَّفَقٌ عَلَيْهِ ، وَلِمُسْلِمٍ : «وَهُوَ يَؤُمُّ النَّاسَ فِي الْمَسْجِدِ» .

240. Narrated Abû Qatâdah (RAA): Allâh's Messenger ﷺ prayed while carrying Umâmah[90] the daughter of Zainab. the daughter of Allâh's Messenger ﷺ when he prostrated, he put her down and when he got up from his *sujûd* (prostration), he carried on her back (on his neck). Agreed upon. Muslim added in his narration, 'While leading the people in prayer in the mosque.'

٢٤١ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ : «اقْــتُلُوا الأَسْــوَدَيْنِ فِي الصَّلاَةِ : الْحَيَّةَ ، وَالْعَقْرَبَ». أَخْرَجَهُ الأَرْبَعَةُ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

90- She was the daughter of Abul Âas Ibn ar-Rabîʿah.

241. Narrated Abû Hurairah (RAA): The Prophet ﷺ said, **"Kill the two black (things): the snake and the scorpion during prayer."** Related by the four Imâms, and Ibn Hibbân graded it as authentic.

## بَـابُ سُتْـرَةِ الْمُصَلِّـي

## *Chapter IV: The Sutrah (or Partition) In Front of One, Who is Praying*

٢٤٢ ـــ عَنْ أَبِي جُهَيْمِ بْنِ الْحَارِثِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللَّـهُ عَلَـيْهِ وَسَلَّمَ: «لَوْ يَعْلَمُ الْمَارُّ بَيْنَ يَدَيِ الْمُصَلِّي مَاذَا عَلَيْهِ مِنَ الإِثْمِ لَكَانَ أَنْ يَقِـفَ أَرْبَعِينَ خَيْرًا لَهُ مِنْ أَنْ يَمُرَّ بَيْنَ يَدَيْهِ». مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِلْبُخَارِيِّ، وَوَقَعَ فِي الْبَزَّارِ مِنْ وَجْهٍ آخَرَ: «أَرْبَعِينَ خَرِيفًا».

242. Narrated Abû Juhaim bin al-Hârith (RAA): The Prophet ﷺ said, **"If the person who passed in front of another person in prayer knew the the magnitude of his sin he would rather wait for 40 (days, months or years) rather than pass in front of him."** Agreed upon, and the wording is al-Bukhârî's. Al-Bazzâr narrated with a different chain of narrators, **"fourty autumns."**

٢٤٣ ـــ وَعَـنْ عَائِشَـةَ - رَضِـيَ اللَّهُ عَنْهَا - قَالَتْ: سُئِلَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَـلَّمَ فِـي غَـزْوَةِ تَبُوكَ - عَنْ سُتْرَةِ الْمُصَلِّي - فَقَالَ: «مِثْلُ مُؤْخِرَةِ الرَّحْلِ». أَخْرَجَهُ مُسْلِمٌ.

243. Narrated 'Â'ishah (RAA): "Allâh's Messenger ﷺ was asked during the expedition of Tabûk about the *sutrah* of the one who is praying. He said, **"Something such as the back of the saddle**[91] (to be put in front of him)." Related by Muslim.

91- The stick which is put at the back of the saddle, for the rider to lean on.

٢٤٤ ـــ وَعَنْ سَبْرَةَ بْنِ مَعْبَدٍ الْجُهَنِيِّ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لِيَسْتَتِرْ أَحَدُكُمْ فِي الصَّلاَةِ وَلَوْ بِسَهْمٍ». أَخْرَجَهُ الْحَاكِمُ .

244. Narrated Sabrah bin Ma'bad al-Juhanî, The Prophet ﷺ said, **"When one of you prays, he should put a *sutrah* (partition) in front of him, even if it is only an arrow."** Related by al-Hâkim.

٢٤٥ ـــ وَعَنْ أَبِي ذَرٍّ الْغِفَارِيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «يَقْطَعُ صَلاَةَ الرَّجُلِ الْمُسْلِمِ - إِذَا لَمْ يَكُنْ بَيْنَ يَدَيْهِ مِثْلُ مُؤَخِّرَةِ الرَّحْلِ - الْمَرْأَةُ ، وَالْحِمَارُ ، وَالْكَلْبُ الأَسْوَدُ». الْحَدِيثُ ، وَفِيهِ : «الْكَلْبُ الأَسْوَدُ شَيْطَانٌ». أَخْرَجَهُ مُسْلِمٌ .

245. Narrated Abu Dharr al-Ghifârî (RAA): Allâh's Messenger ﷺ said, **"When any one of you stands for prayer and there is nothing in front of him** (at least) **equal to the back of the saddle, as a *sutrah*, his prayer would be cut off by** (the passing of a) **woman, an ass, and a black Dog."** This narration also has, **"The black dog is a devil."** Related by Muslim.

٢٤٦ ـــ وَلَهُ عَنْ أَبِي هُرَيْرَةَ نَحْوُهُ دُونَ الْكَلْبِ .

246. Narrated Abû Hurairah a similar narration, but without mentioning the dog.

٢٤٧ ـــ وَلأَبِي دَاوُدَ وَالنَّسَائِيِّ عَنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - نَحْوُهُ ، دُونَ آخِرِهِ ، وَقَيَّدَ الْمَرْأَةَ بِالْحَائِضِ .

247. Abû Dawûd and an-Nasâ'î related on the authority of Ibn 'Abbâs (RAA): a similar narration without the last sentence, and he mentioned 'The woman having her menses.'

٢٤٨ ـــ وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا صَلَّى أَحَدُكُمْ إِلَى شَيْءٍ يَسْتُرُهُ مِنَ النَّاسِ ، فَأَرَادَ أَحَدٌ أَنْ

يَجْـــتَازَ بَيْنَ يَدَيْهِ فَلْيَدْفَعْهُ ، فَإِنْ أَبَى فَلْيُقَاتِلْهُ ، فَإِنَّمَا هُوَ شَيْطَانٌ». مُتَّفَقٌ عَلَيْهِ . وَفِي رِوَايَةٍ : «فَإِنَّ مَعَهُ الْقَرِينَ».

248. Narrated Abû Sa'îd al-Khudrî (RAA): Allâh's Messenger ﷺ said, **'If any one of you prays toward a *sutrah*** (a barrier) **and someone tries to pass in front of him, then push him away. If he refuses, then fight him, for he is a devil."** Agreed upon. In another narration, **'For he has his evil companion (*Qareen*) with him."**

٢٤٩ ــ وَعَــنْ أَبِــي هُرَيْــرَةَ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ قَالَ : «إِذَا صَلَّى أَحَدُكُمْ فَلْيَجْعَلْ تِلْقَاءَ وَجْهِهِ شَيْئًا ، فَإِنْ لَمْ يَجِدْ فَلْيَنْصِبْ عَصًــا ، فَإِنْ لَمْ يَكُنْ فَلْيَخُطَّ خَطًّا ، ثُمَّ لاَ يَضُرُّهُ مَنْ مَرَّ بَيْنَ يَدَيْهِ». أَخْرَجَهُ أَحْمَدُ وَابْــنُ مَاجَــهْ ، وَصَــحَّحَهُ ابْــنُ حِــبَّانَ ، وَلَمْ يُصِبْ مَنْ زَعَمَ أَنَّهُ مُضْطَرِبٌ ، بَلْ هُوَ حَسَنٌ .

249. Narrated Abû Hurairah (RAA): The Messenger of Allâh ﷺ said, **'When one of you prays, he should place something in front of him. If he cannot find anything, he should set up a stick [in front of him]. If he does not have a stick, he should draw a line [on the ground in front of him] then nothing that passes in front of him will harm him."** Related by Ahmad and Ibn Mâjah.

٢٥٠ ــ وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ يَقْطَعُ الصَّلاَةَ شَيْءٌ ، وَادْرَأُوا مَا اسْتَطَعْتُمْ». أَخْرَجَهُ أَبُو دَاوُدَ ، وَفِي سَنَدِهِ ضَعْفٌ .

250. Narrated Abû Sa'îd al-Khudrî (RAA): Allâh's Messenger ﷺ said, **"Prayer is not invalidated by anything, but push away**[the person who is trying to pass in front of you] **to the best of your ability."** Related by Abû Dawûd, but there is a weakness in its chain of narrators.

## بَــابُ الْحَــثِّ عَلَــى الْخُشُــوعِ فِــي الصَّــلاَةِ

## *Chapter V: Encouraging Incitin (the Muslim) to be Humble during prayer*

٢٥١ ـــ عَنْ أَبِي هُرَيْرَةَ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : «نَهَى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنْ يُصَلِّيَ الرَّجُلُ مُخْتَصِرًا». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِمُسْلِمٍ ، وَمَعْنَاهُ : أَنْ يَجْعَلَ يَدَهُ عَلَى خَاصِرَتِهِ .

251. Narrated Abû Hurairah (RAA): The Messenger of Allâh ﷺ prohibited that one puts his hands on his waist during prayer." Agreed upon and the wording is from Muslim.

٢٥٢ ـــ وَفِي الْبُخَارِيِّ عَنْ عَائِشَةَ : أَنَّ ذَلِكَ فِعْلَ الْيَهُودِ فِي صَلاَتِهِمْ .

252. Al-Bukhârî added in his narration on the authority of 'Â'ishah (RAA): **"This is what the Jews do in their prayer."**

٢٥٣ ـــ وَعَنْ أَنَسٍ – رَضِيَ اللَّهُ عَنْهُ – أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «إِذَا قُدِّمَ الْعِشَاءُ فَابْدَأُوا بِهِ قَبْلَ أَنْ تُصَلُّوا الْمَغْرِبَ». مُتَّفَقٌ عَلَيْهِ .

253. Narrated Anas Ibn Mâlik (RAA): Allâh's Messenger ﷺ said, **"If supper is served, then start with it before praying *Maghrib*."** Agreed upon.

٢٥٤ ـــ وَعَــنْ أَبِــي ذَرٍّ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ : «إِذَا قَامَ أَحَدُكُمْ فِي الصَّلاَةِ فَلاَ يَمْسَحِ الْحَصَى ، فَإِنَّ الرَّحْمَةَ تُواجِهُهُ». رَوَاهُ الْخَمْسَةُ بِإِسْنَادٍ صَحِيحٍ ، وَزَادَ أَحْمَدُ : «وَاحِدَةً أَوْ دَعْ».

254. Narrated Abû Dharr (RAA): Allâh's Messenger ﷺ said, **"When one of you stands for prayer, he must not wipe away the pebbles** (from his forehead or from the place of his prostration) **as mercy is facing him."** Related by the five Imâms with a sound chain of narrators. Ahmad added in his narration, **"wipe it only once, or not at all."**

٢٥٥ ـــ وَفِي الصَّحِيحِ عَنْ مُعَيْقِيبٍ نَحْوُهُ بِغَيْرِ تَعْلِيلٍ .

255. Al-Bukhârî and Muslim narrated a similar narration on the authority of Mu´aiqîb without giving an explanation.[92]

٢٥٦ ـــ وَعَنْ عَائِشَةَ – رَضِيَ اللَّهُ عَنْهَا – قَالَتْ : سَأَلْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَنِ الإِلْتِفَاتِ فِي الصَّلاَةِ ؟ فَقَالَ : «هُوَ اخْتِلاَسٌ يَخْتَلِسُهُ الشَّيْطَانُ مِنْ صَلاَةِ الْعَبْدِ». رَوَاهُ الْبُخَارِيُّ ، وَلِلتِّرْمِذِيِّ ، وَصَحَّحَهُ : «إِيَّاكَ وَالإِلْتِفَاتَ فِي الصَّلاَةِ ، فَإِنَّهُ هَلَكَةٌ ، فَإِنْ كَانَ لاَ بُدَّ فَفِي التَّطَوُّعِ».

256. Narrated ´Â'ishah (RAA): 'I asked Allâh's Messenger ﷺ about looking (turning) here and there in prayer. He replied, "**It is a kind of theft by which Satan takes away (a portion) of the person's prayer.**" Related by Al-Bukhârî and At-Tirmidhî who rendered it authentic. The latter's wordings are, **"Avoid turning while you are engaged in prayer, for it leads to the destruction** (of your religion)**. If you have to do it, then do it in the voluntary prayer."**[93]

٢٥٧ ـــ وَعَنْ أَنَسٍ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا كَانَ أَحَدُكُمْ فِي الصَّلاَةِ فَإِنَّهُ يُنَاجِي رَبَّهُ ، فَلاَ يَبْصُقَنَّ بَيْنَ يَدَيْهِ وَلاَ عَنْ يَمِينِهِ ، وَلَكِنْ عَنْ شِمَالِهِ تَحْتَ قَدَمِهِ». مُتَّفَقٌ عَلَيْهِ ، وَفِي رِوَايَةٍ : «أَوْ تَحْتَ قَدَمِهِ».

257. Narrated Anas (RAA): Allâh's Messenger ﷺ said, **"Whenever any of you is engaged in prayer, he must realize that he is having an intimate conversation with His Lord. So, he should not spit in front of him nor toward his right side. But**(he may spit, if needs) **to his left, and under his foot."** Agreed upon. In a different version, **"or under his foot."**

٢٥٨ ـــ وَعَنْهُ قَالَ : كَانَ قِرَامٌ لِعَائِشَةَ – رَضِيَ اللَّهُ عَنْهَا – سَتَرَتْ بِهِ جَانِبَ بَيْتِهَا ، فَقَالَ لَهَا النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «أَمِيطِي عَنَّا قِرَامَكِ هَذَا ، فَإِنَّهُ لاَ تَزَالُ

92- The narration of Al-Bukhârî says, **"Do not wipe away the pebbles while you are praying, but if you have to then do it only once in order to level them."**

93- This is related to unnecessary movements.

تَصَاوِيرُهُ تَعْرِضُ لِي فِي صَلاَتِي». رَوَاهُ الْبُخَارِيُّ .

258. Narrated Anas (RAA) (and ‘´Â'ishah (RAA)), had a curtain with which she covered the doorway of her house. Allâh's Messenger ﷺ said to her, **"Remove this curtain** (of yours) **from us, for its pictures keep me distracted during my prayer."** Related by Al-Bukhârî.

٢٥٩ ـــ وَاتَّفَقَا عَلَى حَدِيثِهَا فِي قِصَّةِ أَنْبِجَانِيَّةِ أَبِي جَهْمٍ ، وَفِيهِ : «فَإِنَّهَا أَلْهَتْنِي عَنْ صَلاَتِي».

259. Bukhârî and Mulsim agreed upon the narration of ´Â'ishah (RAA): concerning the story of the *Inbijâniyah* of Abû Jahm, which has the phrase, **"It has distracted me in my prayer."**[94]

٢٦٠ ـــ وَعَنْ جَابِرِ بْنِ سَمُرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لَيَنْتَهِيَنَّ أَقْوَامٌ يَرْفَعُونَ أَبْصَارَهُمْ إِلَى السَّمَاءِ فِي الصَّلاَةِ أَوْ لاَ تَرْجِعُ إِلَيْهِمْ». رَوَاهُ مُسْلِمٌ .

260. Narrated Jâbir bin Samurah (RAA): 'The Messenger of Allâh ﷺ said, **"Those who raise their sight toward the sky during the prayer, should stop doing so, otherwise their sight will not return to them."**[95] Related by Muslim.

٢٦١ ـــ وَلَهُ عَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : سَمِعْتُ رَسُولَ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ : «لاَ صَلاَةَ بِحَضْرَةِ طَعَامٍ وَلاَ هُوَ يُدَافِعُهُ الأَخْبَثَانِ».

261. Narrated ´Â'ishah (RAA): 'I heard the Messenger of Allâh ﷺ say, **"No one should pray when the the food is served nor**

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94- Al-Bukhârî reported on the authority of ´Â'ishah (RAA), The Prophet ﷺ prayed in a *Khamisah* (a woolen cloak, which had some designs on it, and it was given to him as a present from Abû Jahm). He said, **'Take it** (the cloak) **back to Abû Jahm and bring me his *Inbijâniyah*** (a woolen plain cloak brought from Inbijân) **as this *khamisah* has distracted me in my prayer."**

95- In the narration of al-Bukhârî, **"or their sight may be taken away."**

**when one needs to answer the call of nature."**[96]

٢٦٢ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «التَّثَاؤُبُ مِنَ الشَّيْطَانِ ، فَإِذَا تَثَاءَبَ أَحَدُكُمْ فَلْيَكْظِمْ مَا اسْتَطَاعَ». رَوَاهُ مُسْلِمٌ ، وَالتِّرْمِذِيُّ ، وَزَادَ : «فِي الصَّلَاةِ» .

262. Narrated Abû Hurairah (RAA): The Prophet ﷺ said, **"Yawning is caused by the devil, so if any of you yawns** (during prayer) **he should stop it as much as he can."** Related by Muslim and At-Tirmidhî who added in his narration, **"During prayer."**

# بَـــابُ الْمَسَاجِـــدِ

## *Chapter VI: Mosques*

٢٦٣ ــ عَــنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «أَمَرَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ بِبِنَاءِ الْمَسَاجِدِ فِي الدُّورِ ، وَأَنْ تُنَظَّفَ وَتُطَيَّبَ». رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَالتِّرْمِذِيُّ ، وَصَحَّحَ إِرْسَالَهُ .

263. Narrated 'Â'ishah (RAA): 'The Messenger of Allâh ﷺ ordered that mosques be built in residential areas and that they should be kept clean and be perfumed.' Related by Ahmad and Abû Dawûd and At-Tirmidhî.

٢٦٤ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «قَاتَلَ اللَّهُ الْيَهُودَ اتَّخَذُوا قُبُورَ أَنْبِيَائِهِمْ مَسَاجِدَ». مُتَّفَقٌ عَلَيْهِ ، وَزَادَ مُسْلِمٌ : «وَالنَّصَارَى».

264. Narrated Abû Hurairah (RAA): The Prophet ﷺ said, **"Allâh cursed the Jews** (because) **they took the graves of their Prophets as mosques."** Agreed upon. In the narration of Muslim, **"and the Christians."**

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96- Holding himself back from urinating or deficating. That is why it is better to relieve oneself first before praying.

٢٦٥ ــ وَلَهُمَـا مِنْ حَدِيثِ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - : «كَانُوا إِذَا مَاتَ فِيهِمُ الرَّجُلُ الصَّالِحُ بَنَوْا عَلَى قَبْرِهِ مَسْجِدًا». وَفِيهِ : «أُولَئِكَ شِرَارُ الْخَلْقِ».

265. Al-Bukhârî and Muslim narrated on the authority of ´Â'ishah (RAA):**"If any pious** (religious) **man dies among them, they would build a mosque**(place or worship) **over his grave."** Also in this narration, **"They are the worst of creatures** (people)**."**

٢٦٦ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «بَعَثَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ خَيْلاً ، فَجَاءَتْ بِرَجُلٍ ، فَرَبَطُوهُ بِسَارِيَةٍ مِنْ سَوَارِي الْمَسْجِدِ». الْحَدِيثَ مُتَّفَقٌ عَلَيْهِ .

266. Narrated Abû Hurairah (RAA): 'The Prophet ﷺ sent some horses (i.e. horsemen), who brought back a man[97] (they had captured). They tied him to one of the pillars of the Mosque.' Agreed upon.[98]

٢٦٧ ــ وَعَنْهُ أَنَّ عُمَرَ - رَضِيَ اللَّهُ عَنْهُ - مَرَّ بِحَسَّانَ يَنْشُدُ فِي الْمَسْجِدِ ، فَلَحَظَ إِلَيْهِ ، فَقَالَ : قَدْ كُنْتُ أُنْشِدُ فِيهِ ، وَفِيهِ مَنْ هُوَ خَيْرٌ مِنْكَ. مُتَّفَقٌ عَلَيْهِ .

267. Narrated Abû Hurairah (RAA): '´Umar (RAA) passed by Hassân[99] when he was reciting poetry in the mosque, so he looked at him(in a disapproving manner). Thereupon Hassân said, 'I used to recite (poetry) in this mosque, in the presence of someone better than you (i.e. the Prophet ﷺ).'' Agreed upon.

٢٦٨ ــ وَعَنْهُ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ سَمِعَ رَجُلاً يَنْشُدُ ضَالَّةً فِي الْمَسْجِدِ فَلْيَقُلْ : لاَ رَدَّهَا اللَّهُ عَلَيْكَ ، فَإِنَّ

97- Thumâmah Ibn Uthâl al-Hanafî, see *Hadîth* no. 121.

98- Imâm as-San´ânî says (in his book *Subul as-Salâm; the interpretation of Bulûgh al-Marâm*) that this *Hadîth* is a proof that it is permissible to tie a captive in the mosque even if he was a disbeliever.

99- The poet of the Prophet ﷺ.

الْمَسَاجِدَ لَمْ تُبْنَ لِهَذَا». رَوَاهُ مُسْلِمٌ .

268. Narrated Abû Hurairah (RAA): The Prophet ﷺ said, **"If you hear a man announcing in the mosque, about something which he has lost, he should say to him: 'May Allâh not return it to you, for mosques are not built for that reason."** Related by Muslim.

٢٦٩ ــ وَعَنْهُ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «إِذَا رَأَيْتُمْ مَنْ يَبِيعُ ، أَوْ يَبْتَاعُ فِي الْمَسْجِدِ فَقُولُوا لَهُ : لاَ أَرْبَحَ اللَّهُ تِجَارَتَكَ». رَوَاهُ النَّسَائِيُّ ، وَالتِّرْمِذِيُّ ، وَحَسَّنَهُ .

269. Narrated Abû Hurairah (RAA): The Prophet ﷺ said, **"If you see someone buying or selling in the mosque, say to him: 'May Allâh not give you any profit in your trading."**[100] Related by an-Nasâ'î and At-Tirmidhî.

٢٧٠ ــ وَعَنْ حَكِيمِ بْنِ حِزَامٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ تُقَامُ الْحُدُودُ فِي الْمَسَاجِدِ ، وَلاَ يُسْتَقَادُ فِيهَا». رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ بِسَنَدٍ ضَعِيفٍ .

270. Narrated Hakîm bin Hizâm (RAA): The Prophet ﷺ said, **"Prescribed legal punishment *(Hudûd)* are not to be carried out in a mosques, nor should retaliation be taken in them"** Related by Ahmad and Abû Dawûd with a weak chain of narrators.

٢٧١ ــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «أُصِيبَ سَعْدٌ يَوْمَ الْخَنْدَقِ فَضَرَبَ عَلَيْهِ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ خَيْمَةً فِي الْمَسْجِدِ ، لِيَعُودَهُ مِنْ قَرِيبٍ». مُتَّفَقٌ عَلَيْهِ .

271. Narrated ´Â'ishah (RAA): 'Sa´d bin Mu´âdh was injured on the *Day (battle) of al-Khandaq* (Battle of the Trench) and the Messenger of Allâh ﷺ pitched a tent in the mosque to be able to

100- I.e. may Allâh make this trading unsuccessful.

visit him (easily).[101] Agreed upon.

٢٧٢ ــ وَعَنْهَا : «رَأَيْتُ رَسُولَ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَسْتُرُنِي ، وَأَنَا أَنْظُرُ إِلَى الْحَبَشَةِ يَلْعَبُونَ فِي الْمَسْجِدِ». الْحَدِيثَ . مُتَّفَقٌ عَلَيْهِ .

272. Narrated 'Â'ishah (RAA): 'I saw the Messenger of Allâh screening me while I was looking at the Abyssinians playing in the mosque (with their spears)..." (part of a *Hadîth*). Agreed upon.

٢٧٣ ــ وَعَنْهَا : «أَنَّ وَلِيدَةً سَوْدَاءَ كَانَ لَهَا خِبَاءٌ فِي الْمَسْجِدِ ، فَكَانَتْ تَأْتِينِي فَتَحَدَّثُ عِنْدِي». الْحَدِيثَ. مُتَّفَقٌ عَلَيْهِ .

273. Narrated 'Â'ishah (RAA): 'A black slave girl had a tent in the mosque (she used to sleep in the mosque), and she used to come to me, and we would talk.' Agreed upon.

٢٧٤ ــ وَعَنْ أَنَسٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «الْبُصَاقُ فِي الْمَسْجِدِ خَطِيئَةٌ وَكَفَّارَتُهَا دَفْنُهَا». مُتَّفَقٌ عَلَيْهِ .

274. Narrated Anas Ibn Mâlik (RAA): Allâh's Messenger ﷺ said, **"Spitting in the mosque is considered a sin, which is expiated by burying it** (the spit )." Agreed upon.

٢٧٥ ــ وَعَنْهُ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ تَقُومُ السَّاعَةُ حَتَّى يَتَبَاهَى النَّاسُ فِي الْمَسَاجِدِ». أَخْرَجَهُ الْخَمْسَةُ إِلاَّ التِّرْمِذِيَّ ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ .

275. Narrated Anas Ibn Mâlik (RAA): Allâh's Messenger ﷺ said, **"The Hour will not be established before people vie with one another about (building) mosques."** Related by the five Imâms except for At-Tirmidhî. Ibn Khuzaimah graded it as *Sâhîh*.

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101- As the Messenger of Allâh ﷺ wanted Sa'd to be in a place close to his house, so it would be easy to visit him and look after him.

٢٧٦ ــ وَعَــنْ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَا أُمِرْتُ بِتَشْيِيدِ الْمَسَاجِدِ». أَخْرَجَهُ أَبُو دَاوُدَ وَصَحَّحَهُ ابْنُ حِبَّانَ .

276. Narrated Ibn 'Abbâs (RAA): Allâh's Messenger ﷺ said, **"I was not commanded to build high and lofty mosques."** Related by Abû Dawûd, and it was rendered authentic by Ibn Hibbân.

٢٧٧ ــ وَعَــنْ أَنَــسٍ - رَضِــيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ : «عُرِضَتْ عَلَيَّ أُجُورُ أُمَّتِي ، حَتَّى الْقَذَاةُ يُخْرِجُهَا الرَّجُلُ مِنَ الْمَسْجِدِ». رَوَاهُ أَبُو دَاوُدَ وَالتِّرْمِذِيُّ ، واسْتَغْرَبَهُ ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ .

277. Narrated Anas Ibn Mâlik (RAA): Allâh's Messenger ﷺ said, **"The rewards of my followers were presented to me, so much so that even the reward for removing a speck of dust by a person from the mosque** (was presented to me)." Related by Abû Dawûd, At-Tirmidhî, and it was graded as authentic by Ibn Khuzaimah.

٢٧٨ ــ وَعَــنْ أَبِي قَتَادَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا دَخَلَ أَحَدُكُمُ الْمَسْجِدَ فَلاَ يَجْلِسْ حَتَّى يُصَلِّيَ رَكْعَتَيْنِ». مُتَّفَقٌ عَلَيْهِ .

278. Narrated Abû Qatâdah (RAA): The Messenger of Allâh ﷺ said, **"When one of you enters the mosque, he should pray two *Rak'ât* before he sits down."** Agreed upon.

## بَــابُ صِفَــةِ الصَّــلاَةِ

## *Chapter VII: The Description of how Prayer is to be performed*

٢٧٩ ــ عَــنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «إِذَا قُمْــتَ إِلَى الصَّلاَةِ فَأَسْبِغِ الْوُضُوءَ ، ثُمَّ اسْتَقْبِلِ الْقِبْلَةَ ، فَكَبِّرْ ، ثُمَّ اقْرَأْ مَا تَيَسَّرَ مَعَــكَ مِنَ الْقُرْآنِ ، ثُمَّ ارْكَعْ حَتَّى تَطْمَئِنَّ رَاكِعًا ، ثُمَّ ارْفَعْ حَتَّى تَعْتَدِلَ قَائِمًا ، ثُمَّ اسْجُدْ حَتَّى تَطْمَئِنَّ سَاجِدًا ، ثُمَّ ارْفَعْ حَتَّى تَطْمَئِنَّ جَالِسًا ، ثُمَّ اسْجُدْ حَتَّى تَطْمَئِنَّ

سَــاجِدًا ، ثُمَّ افْعَلْ ذَلِكَ فِي صَلاَتِكَ كُلِّهَا». أَخْرَجَهُ السَّبْعَةُ ، وَاللَّفْظُ لِلْبُخَارِيِّ ، وَلاِبْنِ مَاجَهْ بِإِسْنَادِ مُسْلِمٍ : «حَتَّى تَطْمَئِنَّ قَائِمًا».

279. Narrated Abû Hurairah (RAA): The Prophet ﷺ said, **"When you get up for prayer, perform ablution properly and then face the *Qiblah* and say *Takbîr*** *(Allâhu Akbar)* **and then recite whatever you can from the** (verses of the) **Qur'ân, and then bow until you repose therein**[102](in your *rukû'*). After that **come up again until you are standing upright, and then prostrate until you repose therein,** (in your prostration)**, then raise your head and sit and repose** (remain motionless for a while)**, then prostrate (again) and repose in your prostration. Do that in all of your prayers**." Related by the seven Imâms, and the wording is Al-Bukhâri's. Ibn Mâjah transmitted the following through the chain of narrators of Muslim,**"and then come up again**(from *rukû'*)**until you repose in your standing"**

٢٨٠ ــ وَمِــثْلُهُ فِــي حَدِيــثِ رِفَاعَــةَ بْنِ رَافِعٍ عِنْدَ أَحْمَدَ وَابْنِ حِبَّانَ : «حَتَّى تَطْمَئِنَّ قَائِمًا».

280. Ahmad and Ibn Hibbân reported on the authority of Rifâ'ah bin Râfi' a similar narration which also says, **'and then come up again**(from *rukû'*)**until you repose in your standing"**

٢٨١ ــ وَلأَحْمَدَ : «فَأَقِمْ صُلْبَكَ حَتَّى تَرْجِعَ الْعِظَامُ».

281. Ahmad has in one of his narrations, **"Straighten your back until the bones in your spine return to their places** (the spine must be upright)**."**

٢٨٢ ــ وَلِلنَّسَــائِيِّ وَأَبِــي دَاوُدَ مِنْ حَدِيثِ رِفَاعَةَ بْنِ رَافِعٍ : «إِنَّهَا لاَ تَتِمُّ صَلاَةُ أَحَدِكُــمْ حَتَّى يُسْبِغَ الْوُضُوءَ كَمَا أَمَرَهُ اللَّهُ – تَعَالَى – ، ثُمَّ يُكَبِّرَ اللَّهَ – تَعَالَى – ،

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102- Which means that one should not be hasty to lift his head,rather remain motionless for a moment and say the supplications slowly while concentrating on what one is doing.

وَيَحْمَـدَهُ ، وَيُثْنِي عَلَيْهِ». وَفِيهَا : «فَإِنْ كَانَ مَعَكَ قُرْآنٌ فَاقْرَأْ وَإِلاَّ فَاحْمَدِ اللَّهَ وَكَبِّرْهُ وَهَلِّلْهُ».

282. An-Nasâ'î and Abû Dawûd reported on the authority of Rifâ'ah bin Râfi', **"The prayer of anyone of you is not perfect unless he performs ablution perfectly, as Allâh Glorified be He ordered him to do. Then he should utter the *Takbîr* and praise Allâh, the Exalted."** This narration also says, **"If you know some verses from the Qur'ân then recite them, or else praise Allâh** (say *Alhamdu-lillâh*), **say the *Takbîr*** *(Allâhu Akbar)* **and the *Tahlîl*** *(lâ ilâha illallâh)*.**"**[103]

٢٨٣ ــ وَلأَبِي دَاوُدَ : «ثُمَّ اقْرَأْ بِأُمِّ الْكِتَابِ وَبِمَا شَاءَ اللَّهُ».

283. In the narration of Abû Dawûd, **"Then recite the "Mother of the Book"** ***(al-Fâtihah)*** (i.e. the first *sûrah* or the opening chapter of the Qu'ân) **and then as much as Allâh makes easy for you** (to read from the Qur'ân)."

٢٨٤- وَلاِبْنِ حِبَّانَ : «ثُمَّ بِمَا شِئْتَ».

284. In the narration of Ibn Hibbân, **"Then** (recite) **as much as you wish."**

٢٨٥ ــ وَعَنْ أَبِي حُمَيْدٍ السَّاعِدِيِّ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : «رَأَيْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِذَا كَبَّرَ جَعَلَ يَدَيْهِ حَذْوَ مَنْكِبَيْهِ ، وَإِذَا رَكَعَ أَمْكَنَ يَدَيْهِ مِنْ رُكْبَتَيْهِ ، ثُمَّ هَصَرَ ظَهْرَهُ ، فَإِذَا رَفَعَ رَأْسَهُ اسْتَوَى حَتَّى يَعُودَ كُلُّ فَقَارٍ مَكَانَهُ ، فَإِذَا سَـجَدَ وَضَعَ يَدَيْهِ غَيْرَ مُفْتَرِشٍ ولاَ قَابِضِهِمَا وَاسْتَقْبَلَ بِأَطْرَافِ أَصَابِعِ رِجْلَيْهِ الْقِبْلَةَ ، وَإِذَا جَلَـسَ فِي الرَّكْعَتَيْنِ جَلَسَ عَلَى رِجْلِهِ الْيُسْرَى وَنَصَبَ الْيُمْنَى ، وَإِذَا جَلَسَ فِي

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103- Basically, prayer is not valid unless the *Fâtihah* is read (in Arabic) in each *Rak'ah*, which is the consensus of the Scholars. But if the person finds difficulty in reciting it in Arabic or is dumb or illiterate, or any other acceptable excuse, then he should try to say any other verse from the Qur'ân, or say it behind someone who can recite. If he still can't, then it is permissible for him to say *Tasbîh, Takbîr and Tahlîl.*

الـــرَّكْعَةِ الأَخِـــيرَةِ قَـــدَّمَ رِجْلَـــهُ الْيُسْرَى وَنَصَبَ الأُخْرَى ، وَقَعَدَ عَلَى مَقْعَدَتِهِ». أَخْرَجَهُ الْبُخَارِيُّ .

285. Narrated Abû Humaid as-Sâ´idî, 'I saw the Messenger of Allâh (in his prayer), when he says the opening *Takbîr* (of the prayer) he would raise his hands up to his shoulder level. When he bows for *Rukû´* he would place his hands on both knees[104] and his back would be bent straight.[105] When he lifted his head (from *rukû´*) he would straighten his back until all the vertebrate took their normal positions. When he prostrated, he placed both his hands on the ground and his fingers would neither be spread nor clasped together, while his toes would be directed toward the *Qiblah*. When he sat in the second *rak´ah* (after two *rak´ât*) he sat on his left foot and kept his right foot upright.[106] When he sat in the last *rak´ah*, he would put his left foot (over the right) and put his right foot upright (over the left [107]) and sit upon his posterior, neither inclining to the right or the left." Related by al-Bukhârî.

٢٨٦ — وَعَنْ عَلِيِّ بْنِ أَبِي طَالِبٍ – رَضِيَ اللَّهُ عَنْهُ – عَنْ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ أَنَّـــهُ كَانَ إِذَا قَامَ إِلَى الصَّلاَةِ قَالَ : «وَجَّهْتُ وَجْهِيَ لِلَّذِي فَطَرَ السَّمَوَاتِ وَالأَرْضَ» إِلَى قَوْلِهِ : «مِنَ الْمُسْلِمِينَ ، اللَّهُمَّ أَنْتَ الْمَلِكُ لاَ إِلَهَ إِلاَّ أَنْتَ ، أَنْتَ رَبِّي وَأَنَا عَبْدُكَ» إِلَى آخِرِهِ . رَوَاهُ مُسْلِمٌ ، وَفِي رِوَايَةٍ لَهُ : إِنَّ ذَلِكَ فِي صَلاَةِ اللَّيْلِ .

286. Narrated ´Alî bin Abî Tâlib (RAA): When Allâh's Messenger ﷺ stood up for prayer he said, he would say (as on opening

104- The hands should be placed firmly on the knees.

105- It is the *Sunnah* in *Rukû´* to make the height of the head the same level as that of the hips. The back should be straight as ´Â'ishah (RAA) said, 'If he bowed ﷺ his head would be neither risen nor lowered, but rather between the two positions. ´Alî (RAA) said, "If you put a cup of water on the back of the Prophet, ﷺ while he was bowing, its contents would not spill." His head would be neither...

106- He would place his left foot on its side while sitting on it. The right foot would be resting on the bottom of its toes with the heel upright.

107- The left foot in this case would emerge from under the right one, which is in an upright position.

supplication[108]), **"I have turned my face towards the One Who created the heavens and the earth[109]....'** Until he says, **'and I am of those who have submitted** (i.e. the Muslims). **O Allâh, You are the Sovereign, there is none worthy of worship but You. You are my Lord and I am Your slave...etc[110]"** Related by Muslim.

٢٨٧ — وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِذَا كَبَّرَ لِلصَّلَاةِ سَكَتَ هُنَيْهَةً قَبْلَ أَنْ يَقْرَأَ ، فَسَأَلْتُهُ ، فَقَالَ : «أَقُولُ : اللَّهُمَّ بَاعِدْ بَيْنِي وَبَيْنَ خَطَايَايَ كَمَا بَاعَدْتَ بَيْنَ الْمَشْرِقِ وَالْمَغْرِبِ ، اللَّهُمَّ نَقِّنِي مِنْ خَطَايَايَ كَمَا يُنَقَّى الثَّوْبُ الْأَبْيَضُ مِنَ الدَّنَسِ ، اللَّهُمَّ اغْسِلْنِي مِنْ خَطَايَايَ بِالْمَاءِ وَالثَّلْجِ وَالْبَرَدِ». مُتَّفَقٌ عَلَيْهِ .

287. Narrated Abû Hurairah (RAA): 'When the Prophet ﷺ made his opening *Takbîr*, he would be quiet for a little while before he started his recitation (of the Qur'ân). I asked him, (about what he says between *Takbîr* and recitation).' He said, **"I say: Oh Allâh, make the distance between me and my sins as far as**

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108- This is called *Du'â' al-Istiftâh* (opening supplication).

109- The rest of this supplication says, **"and the earth as a true monotheist and Muslim, and I am not of those who associate partners with Allâh (polytheists). Verily my prayers, my sacrifice, my life and my death, are dedicated for the sake of Allâh, the Lord of the worlds, Who has no partner. Thus I have been commanded and I am among those who have submitted** (the Muslims)."

110- The rest of the supplication says, **"Oh Allâh, You are the Sovereign, there is none worthy of worship but You. You are my Lord and I am Your slave. I have done injustice to myself and I admit my sin. Forgive all of my sins, surely no one can forgive sins but You. Guide me to the most perfect of morals (*Akhlâq*), for none guides to its perfection but You. Divert the worst of it** (evil morals) **away from me, as no one can divert the worst of it but You. I am here at Your beck and call** (present and ready to obey all Your commands). **All good is in Your Hands, and evil is not attributed to You. I am** (created) **by You, and I am** (returning back) **unto You. You are the Most Blessed, the Most Exalted. I seek Your forgiveness and unto You I repent."** Related by Muslim, Ahmad, at-Tirmidhî and others.

**You have made the distance between the East from the West. Oh Allâh, purify me from my sins as a white garment is cleansed of dirt. Oh Allâh, wash off my sins with snow, rain and hail."** Agreed upon.

٢٨٨ ـــ وَعَـــنْ عُمَـــرَ - رَضِـــيَ اللَّـــهُ عَـــنْهُ - أَنَّهُ كَانَ يَقُولُ : سُبْحَانَكَ اللَّهُمَّ وَبِحَمْـــدِكَ ، وَتَـــبَارَكَ اسْمُكَ ، وَتَعَالَى جَدُّكَ ، وَلاَ إِلَهَ غَيْرُكَ . رَوَاهُ مُسْلِمٌ بِسَنَدٍ مُنْقَطِعٍ ، وَرَوَاهُ الدَّارَقُطْنِيُّ مَوْصُولاً وَمَوْقُوفًا .

288. Narrated 'Umar (RAA): that he used to say ﷺ, **"Glory be to You Oh Allâh and praise. Blessed is Your Name and Exalted is Your majesty. There is none worthy of worship but You."** Related by Muslim with a disconnected chain of narrators. But ad-Dârqutnî related it and connected it to 'Umar (RAA).

٢٨٩ ـــ وَنَحْـــوُهُ عَـــنْ أَبِـــي سَـــعِيدٍ الْخُدْرِيِّ - رَضِيَ اللَّهُ عَنْهُ - مَرْفُوعًا عِنْدَ الْخَمْسَةِ ، وَفِيهِ : وَكَانَ يَقُولُ بَعْدَ التَّكْبِيرِ : « أَعُوذُ بِاللَّهِ السَّمِيعِ الْعَلِيمِ مِنَ الشَّيْطَانِ الرَّجِيمِ ، مِنْ هَمْزِهِ ، وَنَفْخِهِ ، وَنَفْثِهِ».

289. The five Imâms reported on the authority of Abû Sa'îd al-Khudrî that the Messenger of Allâh ﷺ, used to say after the opening *Takbîr*, **"I seek refuge in Allâh from Satan. From his prickling (whispering), spittle and puffing."**

٢٩٠ ـــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : كَانَ رَسُولُ اللَّه صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ يَسْتَفْتِحُ الصَّلاَةَ بِالتَّكْبِيرِ ، وَالْقِرَاءَةَ : بِـــ{ الْحَمْدُ للَّه رَبِّ الْعَالَمِينَ} وَكَانَ إِذَا رَكَـــعَ لَـــمْ يُشْخِصْ رَأْسَهُ ، وَلَمْ يُصَوِّبْهُ ، وَلَكِنْ بَيْنَ ذَلِكَ ، وَكَانَ إِذَا رَفَعَ مِنَ الرُّكُوعِ لَمْ يَسْجُدْ حَتَّى يَسْتَوِيَ قَائِمًا ، وَكَانَ إِذَا رَفَعَ رَأْسَهُ مِنَ السَّجْدَةِ لَمْ يَسْجُدْ حَـــتَّى يَسْـــتَوِيَ جَالِسًا ، وَكَانَ يَقُولُ فِي كُلِّ رَكْعَتَيْنِ التَّحِيَّةَ ، وَكَانَ يَفْرِشُ رِجْلَهُ الْيُسْرَى وَيَنْصِبُ الْيُمْنَى ، وَكَانَ يَنْهَى عَنْ عُقْبَةِ الشَّيْطَانِ ، وَيَنْهَى أَنْ يَفْتَرِشَ الرَّجُلُ ذِرَاعَيْهِ افْتِرَاشَ السَّبُعِ ، وَكَانَ يَخْتِمُ الصَّلاَةَ بِالتَّسْلِيمِ . أَخْرَجَهُ مُسْلِمٌ ، وَلَهُ عِلَّةٌ .

290. Narrated 'Â'ishah (RAA): Allâh's Messenger ﷺ used to start the prayer with *Takbîr* and the recitation of 'All praise be to

Allâh, the Lord of the Worlds, (*Alhamdu lillâhi rabbil ´Alamîn*). When he bowed (for *rukû´*) his head would be neither risen nor lowered, but would be between those two positions. When he rose his head from *rukû´*, he would not prostrate until he stood up with his back in an erect position. When he lifted his head from prostration, he sat up (for a moment) before prostrating a second time. At the end of each two *rak´ât,* he would recite the *Tahiyah (Tashahhud)*[111] and he used to sit on his left foot with his right foot upright. He prohibited us from sitting in the way of the devil[112],or that a man stretches his forearms (on the ground in his prostration) like a wild beast He would then complete his prayer with the *Taslîm* (saying to the right and to the left 'Peace be upon you and the Mercy of Allâh." Related by Muslim.

٢٩١ ــ وَعَــنِ ابْنِ عُمَرَ – رَضِيَ اللَّهُ عَنْهُمَا – أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ يَــرْفَعُ يَدَيْــهِ حَذْوَ مَنْكِبَيْهِ إِذَا افْتَتَحَ الصَّلاَةَ ، وَإِذَا كَبَّرَ لِلرُّكُوعِ وَإِذَا رَفَعَ رَأْسَهُ مِنَ الرُّكُوعِ . مُتَّفَقٌ عَلَيْهِ .

291. Narrated Ibn ´Umar (RAA): 'The Messenger of Allâh ﷺ used to raise his hands to his shoulder level when he started his prayer, when he said *Takbîr* (for making *rukû´*) and also when he lifted his head from *rukû´*." Agreed upon.

٢٩٢ ــ وَفِــي حَدِيثِ أَبِي حُمَيْدٍ ، عِنْدَ أَبِي دَاوُدَ : يَرْفَعُ يَدَيْهِ حَتَّى يُحَاذِيَ بِهِمَا مَنْكِبَيْهِ ، ثُمَّ يُكَبِّرُ .

292. In the narration of Abû Humaid, reported by Abû Dawûd, "He raised his hands up to his shoulder level, and then would say *Takbîr.*"

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111- *Tashahhud* means the Testimony of faith (see *Hadîth* no. 334).

112- This way of sitting is called *Iq´â'. Imâm as-San´ânî in 'Subul as-Salaâm*, mentioned two types of Iq´â': one in which one sits with the buttocks on the heels, and with the top of the toes and knees on the ground (as mentioned above), and this was accepted by some scholars. The second type is where one sits with his buttocks on the ground, with his palms down and his knees drawn up and thighs erect (like the sitting of a dog) which is totally prohibited.

٢٩٣ ـــ وَلِمُسْلِمٍ عَنْ مَالِكِ بْنِ الْحُوَيْرِثِ نَحْوُ حَدِيثِ ابْنِ عُمَرَ ، لَكِنْ قَالَ : حَتَّى يُحَاذِيَ بِهِمَا فُرُوعَ أُذُنَيْهِ .

293. Muslim reported on the authority of Mâlik bin al-Huwairith, a narration similar to that of Ibn 'Umar, but he said, "...he raised his hands until they(the fingertips) were level with the tops of his ears (i.e. when saying *Takbîr*).

٢٩٤ ـــ وَعَـــنْ وَائِلِ بْنِ حُجْرٍ قَالَ : صَلَّيْتُ مَعَ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَوَضَعَ يَدَهُ الْيُمْنَى عَلَى يَدِهِ الْيُسْرَى عَلَى صَدْرِهِ . أَخْرَجَهُ ابْنُ خُزَيْمَةَ .

294. Narrated Wâ'il bin Hujr: "I prayed with the Prophet ﷺ and he placed his right hand over his left hand (and placed them) on his chest." Related by Ibn Khuzaimah.

٢٩٥ ـــ وَعَـــنْ عُـــبَادَةَ بْنِ الصَّامِتِ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ صَلاَةَ لِمَنْ لَمْ يَقْرَأْ بِأُمِّ الْقُرْآنِ». مُتَّفَقٌ عَلَيْهِ .

295. Narrated 'Ubâdah bin as-Sâmit: "The Messenger of Allâh ﷺ said, **"No prayer** (is accepted) **for one who does not recite the *Fâtihah*** (the opening chapter of the Qur'ân)." Agreed upon.

٢٩٦ ـــ وَفِـــي رِوَايَـــةٍ لاِبْـــنِ حِبَّانَ وَالدَّارَقُطْنِيِّ : «لاَ تُجْزِي صَلاَةٌ لاَ يُقْرَأُ فِيهَا بِفَاتِحَةِ الْكِتَابِ».

296. In a version by Ibn Hibbân and ad-Dârqutnî, **"A prayer in which the *Fâtihah* was not recited, is not valid."**

٢٩٧ ـــ وَفِي أُخْرَى لأَحْمَدَ وَأَبِي دَاوُدَ ، وَالتِّرْمِذِيِّ ، وَابْنِ حِبَّانَ : «لَعَلَّكُمْ تَقْرَأُونَ خَلْفَ إِمَامِكُمْ ؟» قُلْنَا : نَعَمْ . قَالَ : «لاَ تَفْعَلُوا إِلاَّ بِفَاتِحَةِ الْكِتَابِ ، فَإِنَّهُ لاَ صَلاَةَ لِمَنْ لَمْ يَقْرَأْ بِهَا».

297. In another narration by 'Ubâdah Ibn As-Sâmit, **"Maybe you recite** (Qur'ân) **behind your Imâm** (when you are praying *Jamâ'ah*)? We said, 'Yes.' The Messenger of Allâh then said, **"Read only the *Fâtihah*, as the prayer of the one who does not read it, is not valid."**

٢٩٨ ــ وَعَنْ أَنَسٍ – رَضِيَ اللَّهُ عَنْهُ – : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَأَبَا بَكْرٍ وَعُمَرَ كَانُوا يَفْتَتِحُونَ الصَّلَاةَ بِــ{الْحَمْدُ لِلَّهِ رَبِّ الْعَالَمِينَ}. مُتَّفَقٌ عَلَيْهِ .

298. Narrated Anas Ibn Mâlik: 'The Messenger of Allâh ﷺ, Abû Bakr and 'Umar, used to start the prayer with, ***'Alhamdu lillâhi Rabil 'Alamîn'*** (All praise be to Allâh, Lord of the Worlds).[113] Agreed upon.

٢٩٩ ــ زَادَ مُسْــلِمٌ : «لَا يَذْكُــرُونَ {بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ} فِي أَوَّلِ قِرَاءَةٍ وَلَا فِي آخِرِهَا».

299. Anas added in the narration reported by Muslim, 'but I never heard any of them reciting ***Bismillahi –ir-Rahman –ir-Rahîm*** (In the name of Allâh, the Most Benificient, the Most Merciful) at the beginning of recitation or at its end."[114]

٣٠٠ ــ وَفِــي رِوَايَةٍ لِأَحْمَدَ وَالنَّسَائِيِّ وَابْنِ خُزَيْمَةَ : «لَا يَجْهَرُونَ بِــ{بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ}».

300. Anas also narrated, 'They would not recite reciting ***'Bismillahi –ir-Rahman –ir-Rahîm'***(In the name of Allâh, the Most Benificient, the Most the Merciful) loudly." Related by Ahmad, an-Nasâ'î and Ibn Khuzaimah.

٣٠١ ــ وَفِــي أُخْرَى لِابْنِ خُزَيْمَةَ : «كَانُوا يُسِرُّونَ». وَعَلَى هَذَا يُحْمَلُ النَّفْيُ فِي رِوَايَةِ مُسْلِمٍ ، خِلَافًا لِمَنْ أَعَلَّهَا .

301. In another version by Ibn Khuzaimah, Anas said, 'They used to recite it silently." This explains the negation in the version of Muslim 'but I never heard any of them reciting ***Bismillahi –ir-Rahman –ir-Rahîm ……..'*** *Hadîth* no. 299.

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113- He means they do not say the *Basmalah* aloud, but read it silently before they read the *Fâtihah*, as is mentioned in the following Ahâdîth (no. 300, 301).

114- He may be referring to the end of the *Fâtihah*, as they would start reading other *sûras* or verses from the Qur'ân, but again they would not recite the *Basmalah* aloud.

٣٠٢ ـــ وَعَـــنْ نُعَـــيْمٍ الْمُجْمِرِ ، قَالَ : صَلَّيْتُ وَرَاءَ أَبِي هُرَيْرَةَ – رَضِيَ اللَّهُ تَعَالَى عَـــنْهُ – ، فَقَـــرَأَ : {بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ} ثُمَّ قَرَأَ بِأُمِّ الْقُرْآنِ ، حَتَّى إِذَا بَلَغَ : {وَلاَ الضَّـــالِّينَ} [الفَاتِحَة : ٧] قَالَ : «آمِينَ» ، وَيَقُولُ كُلَّمَا سَجَدَ ، وَإِذَا قَامَ مِنَ الْجُلُـــوسِ : اللَّهُ أَكْبَرُ ، ثُمَّ يَقُولُ إِذَا سَلَّمَ : وَالَّذِي نَفْسِي بِيَدِهِ إِنِّي لأَشْبَهُكُمْ صَلاَةً بِرَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ . رَوَاهُ النَّسَائِيُّ ، وَابْنُ خُزَيْمَةَ .

302. Narrated Nu´aim al-Mujmir, 'I prayed behind Abû Hurairah and he recited ***'Bismillahi -ir-Rah̲man -ir-Rah̲îm,'*** and then he recited the *Fâtih̲ah* until he recited, *'Nor of those who went astray,'*(i.e. the last words of *al-Fâtih̲ah*) then he said, *'Âmîn'.*[115] Whenever he prostrated or got up from his sitting (after the two prostrations), he would say *'Allâhu Akbar'* When he concluded his prayer by saying the *Taslîm* (saying to the right and to the left 'Peace be upon you and the Mercy of Allâh'), he would say (to us), 'By the One in Whose Hand is my soul, my prayer is the most similar to that of the Prophet ﷺ, among all of you." Related by An-Nasâ'î and Ibn Khuzaimah.

٣٠٣ ـــ وَعَنْ أَبِي هُرَيْرَةَ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ : «إِذَا قَـــرَأْتُمُ الْفَاتِحَـــةَ فَاقْرَأُوا {بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ} ، فَإِنَّهَا إِحْدَى آيَاتِهَا». رَوَاهُ الدَّارَقُطْنِيُّ ، وَصَوَّبَ وَقْفَهُ .

303. Narrated Abû Hurairah (RAA): 'The Messenger of Allâh ﷺ said, **"When you recite *al-Fâtih̲ah* recite *'Bismillahi -ir-Rah̲man -ir-Rah̲îm'* as it is one of its verses."** Related by ad-Dâraqut̲nî, and said that it is only traced back to a Companion and not to the Prophet ﷺ.

٣٠٤ ـــ وَعَـــنْهُ قَالَ : كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِذَا فَرَغَ مِنْ قِرَاءَةِ أُمِّ الْقُرْآنِ رَفَعَ صَوْتَهُ وَقَالَ : «آمِينَ». رَوَاهُ الدَّارَقُطْنِيُّ وَحَسَّنَهُ ، وَالْحَاكِمُ وَصَحَّحَهُ .

304. Narrated Abû Hurairah (RAA): 'Whenenver The Messen-

115- The word *Âmîn* is not part of the *Fâtih̲ah,* but it is a supplication meaning "O Allâh respond or answer what we have just said." It is always said at the conclusion of *sûrat al-Fâtih̲ah.*

ger of Allâh ﷺ finished reciting the Mother of the Book *'al-Fâtihah'* (in prayer), he used to raise his voice saying *Âmîn.*' Related by ad-Dâraqutnî and al-Hâkim.

٣٠٥ ـــ وَلِأَبِي دَاوُدَ وَالتِّرْمِذِيِّ مِنْ حَدِيثِ وَائِلِ بْنِ حُجْرٍ نَحْوُهُ .

305. Abû Dawûd and At-Tirmidhî related a similar *Hadîth* on the authority of Wâ'il Ibn Hujr.

٣٠٦ ـــ وَعَنْ عَبْدِ اللَّهِ بْنِ أَبِي أَوْفَى - رَضِيَ اللَّهُ عَنْهُ - قَالَ جَاءَ رَجُلٌ إِلَى النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ إِنِّي لاَ أَسْتَطِيعُ أَنْ آخُذَ مِنَ الْقُرْآنِ شَيْئًا فَعَلِّمْنِي مَا يُجْزِئُنِي مِنْهُ ، فَقَالَ : «قُلْ : سُبْحَانَ اللَّهِ ، وَالْحَمْدُ لِلَّهِ ، وَلاَ إِلَهَ إِلاَّ اللَّهُ ، وَاللَّهُ أَكْبَرُ ، وَلاَ حَوْلَ وَلاَ قُوَّةَ إِلاَّ بِاللَّهِ الْعَلِيِّ الْعَظِيمِ» الْحَدِيثَ . رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَالنَّسَائِيُّ ، وَصَحَّحَهُ ابْنُ حِبَّانَ ، وَالدَّارَقُطْنِيُّ ، وَالْحَاكِمُ .

306. Narrated 'Abdullâh bin Abî Awfâ (RAA): 'A man came to the Messenger of Allâh ﷺ and said, 'I cannot memorise anything from the Qur'an, so teach me something which is sufficient for me (to say in prayer). The Messenger of Allâh ﷺ said to him, **"say, *'Subhanallah, wal-hamdu lillaah, wa lâ ilâha illallâh, wallâhu akbar, wa lâ hawala wa lâ Quwata illâ billâh-'Aliyyil-'Adheem,*** **(Glory be to Allâh, and Praise be to Allâh! There is none worthy of worship but Allâh, Allâh is the Greatest, and there is no power nor might except by Allâh's leave, the Exalted, the Mighty."** Part of the *Hadîth* is related by Ahmad, Abû Dawûd, an-Nasâ'î and was rendered authentic by Ibn Hibbân, ad-Dâraqutnî and al-Hâkim.

٣٠٧ ـــ وَعَنْ أَبِي قَتَادَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يُصَلِّي بِنَا ، فَيَقْرَأُ فِي الظُّهْرِ وَالْعَصْرِ - فِي الرَّكْعَتَيْنِ الأُولَيَيْنِ - بِفَاتِحَةِ الْكِتَابِ وَسُورَتَيْنِ ، وَيُسْمِعُنَا الآيَةَ أَحْيَانًا ، وَيُطَوِّلُ الرَّكْعَةَ الأُولَى ، وَيَقْرَأُ فِي الأُخْرَيَيْنِ بِفَاتِحَةِ الْكِتَابِ» . مُتَّفَقٌ عَلَيْهِ .

307. Narrated Abû Qatâdah (RAA): 'Allâh's Messenger ﷺ used to lead us in prayer, and he would recite *al-Fâtihah* followed

by two other *Sûras* (i.e. a sûrah in each *rak'ah*) -in the first two *Rak'ât* – of the *Dhuhr and 'Asr* prayers. Sometimes we were able to hear a verse or so (of what he was reading). He used to ﷺ, prolong the first *rak'ah* more than the second, and he would recite *al-Fâtihah* in the last two *rak'ât* (the third and the fourth). Agreed upon.

٣٠٨ ـــ وَعَـــنْ أَبِـــي سَعِيدٍ الْخُدْرِيِّ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : «كُنَّا نَحْزُرُ قِيَامَ رَسُـــولِ اللَّـــهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فِي الظُّهْرِ وَالعَصْرِ ، فَحَزَرْنَا قِيَامَهُ فِي الرَّكْعَتَيْنِ الأُولَيَيْنِ مِنَ الظُّهْرِ قَدْرَ: {الم * تَنْزِيل} [السَّجْدَة :١و٢]. السَّجْدَة . وَفِي الأُخْرَيَيْنِ قَـــدْرَ النِّصْـــفِ مِنْ ذَلِكَ . وَفِي الأُولَيَيْنِ مِنْ الْعَصْرِ عَلَى قَدْرِ الأُخْرَيَيْنِ مِنَ الظُّهْرِ ، وَالأُخْرَيَيْنِ عَلَى النِّصْفِ مِنْ ذَلِكَ . رَوَاهُ مُسْلِمٌ .

308. Narrated Abû Sa'îd al-Khudrî (RAA): 'We used to estimate how long Allâh's Messenger ﷺ stood (while reciting verses from the Qur'ân after the *Fâtihah*) in the *Dhuhr and 'Asr* prayers. We estimated that he stood in the first two *rak'ât* of the *Dhuhr* prayer as long as it takes to recite ***"Alif Lâm Mîm. The revelation of the Book(the Qur'ân).."(i.e. Sûrah as-Sajdah, no. 32).*** He stood half that time in the last two *rak'ât*, of the *Dhuhr* prayer. In the first two *rak'ât* of the *'Asr* prayer, he stood as long as he did in the last two *rak'ât* of the *Dhuhr* prayer, and in the last two (of the *'Asr* prayer), he stood about half that time." Related by Muslim.

٣٠٩ ـــ وَعَـــنْ سُـــلَيْمَانَ بْـــنِ يَسَارٍ قَالَ : كَانَ فُلاَنٌ يُطِيلُ الأُولَيَيْنِ مِنَ الظُّهْرِ ، وَيُخَفِّـــفُ الْعَصْـــرَ ، وَيَقْرَأُ فِي الْمَغْرِبِ بِقِصَارِ الْمُفَصَّلِ ، وَفِي الْعِشَاءِ بِوَسَطِهِ وَفِي الصُّبْحِ بِطِوَالِهِ ، فَقَالَ أَبُو هُرَيْرَةَ : مَا صَلَّيْتُ وَرَاءَ أَحَدٍ أَشْبَهَ صَلاَةً بِرَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ مِنْ هَذَا . أَخْرَجَهُ النَّسَائِيُّ بِإِسْنَادٍ صَحِيحٍ .

309. Narrated Sulaimân bin Yasâr (RAA): 'A man[116] used to prolong the first two *rak'ât* of the *Dhuhr* prayer, shorten the *'Asr*

116- Imâm al-Baghwî in his book *'Sharh as-Sunnah'* said that this man was 'Amro bin Salamah, who was the governor of Madînah at that time.

prayer and recite short *sûras* of the *mufas-sal*[117] of the Qur'ân in the *Maghrib* prayer. In the *'Ishâ'* prayer, he would recite from the medium *sûras*[118], and in the *Fajr* prayer he would read from *at-Tiwâl*.[119] Abû Hurairah(RAA) then said, 'I have not prayed behind a man whose prayer is more similar to that of the Prophet ﷺ than that man." Rendered by an-Nasâ'î with a sound chain of narrators.

٣١٠ ــ وَعَنْ جُبَيْرِ بْنِ مُطْعِمٍ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : «سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقْرَأُ فِي الْمَغْرِبِ بِالطُّورِ». مُتَّفَقٌ عَلَيْهِ .

310. Narrated Jubair bin Mut'im (RAA): 'I heard the Messenger of Allâh ﷺ reciting *Sûrat at-Tûr* (no. 52) in the *Maghrib* prayer.' Agreed upon.

٣١١ ــ وَعَنْ أَبِي هُرَيْرَةَ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقْـرَأُ فِي صَلَاةِ الْفَجْرِ يَوْمَ الْجُمُعَةِ : {الم * تَنْزِيلُ}.[السَّجْدَةَ : ١و٢] ، وَ{هَلْ أَتَى عَلَى الإِنْسَانِ} [الإِنسَان : ١]. مُتَّفَقٌ عَلَيْهِ .

311. Narrated Abû Hurairah (RAA): 'Allâh's Messenger ﷺ used to recite in the *Fajr* prayer on Friday, ***"Alif Lâm Mîm. The revelation of the Book (the Qur'ân)..." (i.e. Sûrah as-Sajdah, no. 32)***, and ***"Has there not been over man a period of time..." (i.e. Sûrah al-Insân, no. 76)***. Agreed upon.

٣١٢ ــ وَلِلطَّبَرَانِيِّ مِنْ حَدِيثِ ابْنِ مَسْعُودٍ : يُدِيمُ ذَلِكَ .

312. At-Tabarânî related on the authority of Ibn Mas'ûd: 'He used to do this continuously."

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117- The *Sûras* starting from (according to the strongest opinion) *Qâf* (no. 50) to the end of the Holy Qur'ân.

118- This includes the *mi'în* (*Sûras* of around and over 100 verses), and the *mathânî* (come after the *mi'în* up to *Qâf*).

119- The first seven long *Sûras* in the Qur'ân, and some scholars add *Sûras* no. 8 and 9 (as there is no *Basmalah* between *al-Anfâl* and *at-Tawbah*). They have been called *at-Tiwâl* (the long) as they are the longest *Sûras* in the Qur'ân.

٣١٣ ــ وَعَــنْ حُذَيْفَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «صَلَّيْتُ مَعَ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ فَمَــا مَرَّتْ بِهِ آيَةُ رَحْمَةٍ إِلاَّ وَقَفَ عِنْدَهَا يَسْأَلُ ، وَلاَ آيَةُ عَذَابٍ إِلاَّ تَعَوَّذَ مِنْهَا». أَخْرَجَهُ الْخَمْسَةُ ، وَحَسَّنَهُ التِّرْمِذِيُّ .

313. Narrated Hudhaifah (RAA):'I prayed with the Prophet ﷺ, whenever he came to a verse that mentioned mercy, he would stop and ask Allâh for His blessings, and whenever he came to a verse that mentioned punishment, he would seek refuge in Allâh from the Hell-fire." Related by the five Imâms. At-Tirmidhî rendered it *Hasan* (good).

٣١٤ ــ وَعَــنْ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَــيْهِ وَسَــلَّمَ : «أَلاَ وَإِنِّي نُهِيتُ أَنْ أَقْرَأَ الْقُرْآنَ رَاكِعًا أَوْ سَاجِدًا ، فَأَمَّا الرُّكُوعُ فَعَظِّمُوا فِيهِ الرَّبَّ ، وَأَمَّا السُّجُودُ فَاجْتَهِدُوا فِي الدُّعَاءِ ، فَقَمِنٌ أَنْ يُسْتَجَابَ لَكُمْ». رَوَاهُ مُسْلِمٌ .

314. Narrated Ibn 'Abbâs (RAA): 'The Messenger of Allâh ﷺ said, **"I was forbidden from reciting the Qur'ân whether in a state of *rukû'* or in *sujûd*(prostration). When you perform *rukû'*, Glorify Allâh** (say Glory to my Lord the most Great), **and in prostration, strive your best in making supplication, as you are then entitled to have your supplication answered (Allâh willing).** Related by Muslim.

٣١٥ ــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ يَقُــولُ فِــي رُكُوعِهِ وَسُجُودِهِ : «سُبْحَانَكَ اللَّهُمَّ رَبَّنَا وَبِحَمْدِكَ ، اللَّهُمَّ اغْفِرْ لِي» مُتَّفَقٌ عَلَيْهِ .

315. Narrated 'Â'ishah (RAA): "Allâh's Messenger ﷺ, used to say in his *rukû'* and *sujûd* (prostration), **"Glory and praise is to You, O Allâh, our Lord. O Allâh forgive me."** Agreed upon.

٣١٦ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ إِذَا قَامَ إِلَى الصَّلاَةِ يُكَبِّرُ حِينَ يَقُومُ ، ثُمَّ يُكَبِّرُ حِينَ يَرْكَعُ ثُمَّ يَقُولُ : «سَمِعَ

اللَّـهُ لِمَنْ حَمِدَهُ» حِينَ يَرْفَعُ صُلْبَهُ مِنَ الرُّكُوعِ ، ثُمَّ يَقُولُ وَهُوَ قَائِمٌ : «رَبَّنَا وَلَكَ الْحَمْـدُ» ، ثُمَّ يُكَبِّرُ حِينَ يَهْوِي سَاجِدًا ، ثُمَّ يُكَبِّرُ حِينَ يَرْفَعُ رَأْسَهُ ، ثُمَّ يُكَبِّرُ حِينَ يَسْـجُدُ ، ثُمَّ يُكَبِّرُ حِينَ يَرْفَعُ ، ثُمَّ يَفْعَلُ ذَلِكَ فِي الصَّلاَةِ كُلِّهَا ، وَيُكَبِّرُ حِينَ يَقُومُ مِنَ اثْنَتَيْنِ بَعْدَ الْجُلُوسِ . مُتَّفَقٌ عَلَيْهِ .

316. Narrated Abû Hurairah (RAA): 'When Allâh's Messenger ﷺ got up to pray, he would say the *Takbîr* while standing, then say the *Takbîr* when he bowed (for *rukû´*). When he rose from *rukû´* he would say, **"*Sami'al Lâhu liman hamidah* (Allâh hears those who send praises to Him)",** and while standing with his back straight (after *rukû´*) he would say, **"*Rabbanâ wa lakal-hamd* (O Allâh, our Lord! All praise is for You)."** He would then say the *Takbîr* when going down to proatration, and when he raised his head, then when he prostrated for the second time he would say the *Takbîr* one more time when he raised his head from the second prostration. He would do this for all his prayers, in each *rak´ah* and he would also say the *Takbîr* when he got up from his sitting after praying two *rak´ât*. Agreed upon.

٣١٧ ـــ وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : كَانَ رَسُولُ اللَّهِ صَلَّى اللَّـهُ عَلَـيْهِ وَسَلَّمَ إِذَا رَفَعَ رَأْسَهُ مِنَ الرُّكُوعِ قَالَ : «اللَّهُمَّ رَبَّنَا لَكَ الْحَمْدُ ، مِلْءَ السَّـمَوَاتِ وَالأَرْضِ ، وَمِلْءَ مَا شِئْتَ مِنْ شَيْءٍ بَعْدَ ، أَهْلَ الثَّنَاءِ وَالْمَجْدِ ، أَحَقُّ مَا قَـالَ الْعَبْدُ - وَكُلُّنَا لَكَ عَبْدٌ - اللَّهُمَّ لاَ مَانِعَ لِمَا أَعْطَيْتَ ، وَلاَ مُعْطِيَ لِمَا مَنَعْتَ ، وَلاَ يَنْفَعُ ذَا الْجَدِّ مِنْكَ الْجَدُّ » رَوَاهُ مُسْلِمٌ .

317. Narrated Abû Sa´îd al-Khudrî (RAA): when 'Allâh's Messenger ﷺ raised his head from *rukû´ he would say,* **"Our Lord! All praise is Yours. (A praise that) fills the heavens and the earth, and fill what lies between them, and fills whatever else, You wish, to be filled after that. You alone are deserving of praise and majesty. This is the most truthful statement that a servant has ever said, and we are all Your slaves. O Allâh, there is no one who may withhold what You give, and there is no one, who may give what You have withheld. No fortune or prosperity**(whether it be money, children,

power etc) **will save or benefit its owner with You** (it is only Your mercy and virtue that benefits anyone). Related by Muslim.

٣١٨ــ وَعَنْ ابْنِ عَبَّاسٍ – رَضِيَ اللهُ عَنْهُمَا – قَالَ : قَالَ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «أُمِرْتُ أَنْ أَسْجُدَ عَلَى سَبْعَةِ أَعْظُمٍ : عَلَى الْجَبْهَةِ – وَأَشَارَ بِيَدِهِ إِلَى أَنْفِهِ – وَالْيَدَيْنِ ، وَالرُّكْبَتَيْنِ ، وَأَطْرَافِ الْقَدَمَيْنِ». مُتَّفَقٌ عَلَيْهِ .

318. Narrated Ibn ´Abbâs (RAA): 'The Messenger of Allâh ﷺ said, **"I was commanded to prostrate on seven bones** (bodily parts): **the forehead"** -and he pointed to his nose,[120] hands, knees and the ends of the feet (the toes).' Agreed upon.

٣١٩ ــ وَعَــنِ ابْــنِ بُحَيْنَةَ : «أَنَّ رَسُولَ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ إِذَا صَلَّى وَسَجَدَ فَرَّجَ بَيْنَ يَدَيْهِ ، حَتَّى يَبْدُوَ بَيَاضُ إِبْطَيْهِ». مُتَّفَقٌ عَلَيْهِ .

319. Narrated Ibn Buhainah (RAA), 'Whenever the Messenger of Allâh used to pray, he would keep his arms away from his sides (when he prostrated), so that the whiteness of his armpits was visible." Agreed upon.

٣٢٠ ــ وَعَنِ الْبَرَاءِ بْنِ عَازِبٍ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : قَالَ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا سَجَدْتَ فَضَعْ كَفَّيْكَ ، وَارْفَعْ مِرْفَقَيْكَ». رَوَاهُ مُسْلِمٌ .

320. Narrated al-Barâ' bin ´Âzib (RAA): 'The Messenger of Allâh ﷺ said, **"Whenever you prostrate, place the palms of your hands** (on the ground), **and raise your elbows."** Related by Muslim.

120- Imâm al-Qurtbî said, 'This shows that the forehead is the main part on which the face prostrates, and the nose is associated with it.' Ibn Daqîq al-´Abd said, 'This means that the Prophet ﷺ considered the forehead and the nose as one part, otherwise, the parts of the body on which prostration is performed would have been eight.' This *Hadîth* is further explained by the narration of an-Nasâ'î, Ibn Tawûs said, 'And he put his hand ﷺ on his forehead and he passed it over his nose and said, **"This is one** (part)."

٣٢١ ــ وَعَنْ وَائِلِ بْنِ حُجْرٍ – رَضِيَ اللَّهُ عَنْهُ – : « أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ إِذَا رَكَعَ فَرَّجَ بين أصابعه ، وَإِذَا سَجَدَ ضَمَّ أَصَابِعَهُ». رَوَاهُ الْحَاكِمُ .

321. Wâ'il bin Hujr (RAA) narrated, 'Whenever the Messenger of Allâh ﷺ used to bow, he would separate his fingers (with his hands pla-ced on his knees). When he prostrated, he would keep his fingers toge-ther.' Related by Al-Hâkim.

٣٢٢ ــ وَعَــنْ عَائِشَةَ – رَضِيَ اللَّهُ عَنْهَا – قَالَتْ : «رَأَيْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يُصَلِّي مُتَرَبِّعًا». رَوَاهُ النَّسَائِيُّ ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ .

322. 'Â'ishah (RAA) narrated, 'I saw the Messenger of Allâh ﷺ praying while sitting cross-legged.'[121]Related by An-Nasâ'î and Ibn Kh-uzaimah graded it as *Sahîh*.

٣٢٣ ــ وَعَنْ ابْنِ عَبَّاسٍ – رَضِيَ اللَّهُ عَنْهُمَا – أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ يَقُولُ بَيْنَ السَّجْدَتَيْنِ : «اللَّهُمَّ اغْفِرْ لِي ، وَارْحَمْنِي واهْدِنِي ، وَعَافِنِي ، وَارْزُقْنِي». رَوَاهُ الأَرْبَعَةُ إِلاَّ النَّسَائِيَّ ، وَاللَّفْظُ لأَبِي دَاوُدَ ، وَصَحَّحَهُ الْحَاكِمُ .

323. Ibn 'Abbâs (RAA) narrated, 'Between the two prostrati-ons, the Messenger of Allâh ﷺ used to say, **"O Allâh, forgive me, have mercy on me, guide me, grant me well-being, and pro-vide for me."** Related by the four Imâms except for An-Nasâ'î, and the wording is from Abû Dawûd. Al-Hâkim graded it as *Sahîh*.

٣٢٤ ــ وَعَنْ مَالِكِ بْنِ الْحُوَيْرِثِ – رَضِيَ اللَّهُ عَنْهُ – : «أَنَّهُ رَأَى النَّبِيَّ صَلَّى اللَّهُ عَلَــيْهِ وَسَلَّمَ يُصَلِّي ، فَإِذَا كَانَ فِي وِتْرٍ مِنْ صَلاَتِهِ لَمْ يَنْهَضْ حَتَّى يَسْتَوِي قَاعِدًا». رَوَاهُ الْبُخَارِيُّ .

324. Mâlik bin al-Huwairith (RAA) narrated that he saw the Messenger of Allâh ﷺ praying. If he was praying the odd *rak'ât* (the first or the third), he used to sit for a moment (a quick sitting after the second prostration) before he got up." Related by Al-Bukhârî.

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121- This was when the Prophet ﷺ fell off his horse and his ankle was dis-located (Imâm as-San'ânî in *Subul as-Salâm*.)

٣٢٥ ــ وَعَــنْ أَنَــسٍ - رَضِيَ اللّٰهُ عَنْهُ - : «أَنَّ النَّبِيَّ صَلَّى اللّٰهُ عَلَيْهِ وَسَلَّمَ قَنَتَ شَهْرًا ، بَعْدَ الرُّكُوعِ ، يَدْعُو عَلَى أَحْيَاءٍ مِنَ الْعَرَبِ ، ثُمَّ تَرَكَهُ» . مُتَّفَقٌ عَلَيْهِ .

325. Anas (RAA) narrated, 'The Messenger of Allâh ﷺ stood in humble supplication reciting the *Qunût*[122] for a whole month asking Allâh to punish some of the Arab tribes, and then he stopped (making this supplication)."[123] Agreed upon.

٣٢٦ ــ وَلأَحْمَــدَ وَالدَّارَقُطْنِيِّ نَحْوُهُ مِنْ وَجْهٍ آخَرَ ، وَزَادَ : «وَأَمَّا فِي الصُّبْحِ فَلَمْ يَزَلْ يَقْنُتُ حَتَّى فَارَقَ الدُّنْيَا».

326. Ahmad and Ad-Dâraqutnî related a similar *Hadîth* (on the authority of Anas) but with a different chain of narrators. The narration says, 'The Messenger of Allâh ﷺ kept on making *Qunût* during the *Fajr* prayer until he left this world."[124]

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122- *Qunût* is a special supplication made in certain prayers while standing after raising one's head from bowing. It is usually done in the *Witr* prayer, or in the second *rak'ah* of the *Fajr* prayer.

123- They are the tribes of Ra'l and Dhakwân. The Messenger of Allâh ﷺ sent almost 70 of his Companions (who had memorized the Qur'ân), to those tribes to teach them Islâm. There was a peace treaty between them and the Messenger of Allâh ﷺ, but they killed the seventy men. He was very sad for the loss of his Companions and spent a whole month reciting this supplication. This is proof that it is permissible to make *Qunût*, reciting the supplication aloud (in any of the five prayers) when Muslims are faced with calamities.

124- What the Messenger ﷺ stopped (as mentioned in the first *Hadîth*) is his supplication asking Allâh to punish the people who killed his Companions. As for what he kept doing, most scholars are of the opinion that what Anas meant by *Qunût* in this *Hadîth* is that the Prophet ﷺ would stand (after raising his head from *rukû'*) for some time making supplication and *dhikr* (remembering Allâh), in the *Fajr* prayer, until he died. Anas himself and the four *Khulafâ'*, did not observe this *Qunût* in the *Fajr* prayer after the death of the Prophet ﷺ which supports the opinion of the scholars, as they would not abandon something that the Messenger of Allâh ﷺ continued doing all his life, so that it becomes part of his *Sunnah*.

٣٢٧ ـــ وَعَنْهُ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ لاَ يَقْنُتُ إِلاَّ إِذَا دَعَا لِقَوْمٍ ، أَوْ دَعَا عَلَى قَوْمٍ». صَحَّحَهُ ابْنُ خُزَيْمَةَ .

327. Anas (RAA) narrated, 'The Messenger of Allâh ﷺ would not stand for the *Qunût* (in prayer) unless he was supplicating for or against certain people." Ibn Khuzaimah graded it to be Sahîh.

٣٢٨ ـــ وَعَنْ سَعْدِ بْنِ طَارِقٍ الأَشْجَعِيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «قُلْتُ لأَبِي : يَا أَبَتِ ، إِنَّكَ قَدْ صَلَّيْتَ خَلْفَ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، وَأَبِي بَكْرٍ ، وَعُمَرَ ، وَعُثْمَانَ ، وَعَلِيٍّ ، أَفَكَانُوا يَقْنُتُونَ فِي الْفَجْرِ ؟ قَالَ : أَيْ بُنَيَّ مُحْدَثٌ». رَوَاهُ الْخَمْسَةُ إِلاَّ أَبَا دَاوُدَ .

328. Sa'd bin Târiq Al-Ashja'î (RAA) narrated, 'I said to my father,"Father, you have prayed behind Allâh's Messenger ﷺ, Abû Bakr, 'Umar, 'Uthmân and 'Alî. Did they observe making *Qunût* in *Fajr* prayer?" He said, 'No son, it is something that has been innovated (i.e. a *Bid'ah)*." Related by the five Imâms except for Abû Dawûd.

٣٢٩ ـــ وَعَنِ الْحَسَنِ بْنِ عَلِيٍّ - رَضِيَ اللَّهُ عَنْهُمَا - أَنَّهُ قَالَ : عَلَّمَنِي رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَلِمَاتٍ أَقُولُهُنَّ فِي قُنُوتِ الْوِتْرِ : «اللَّهُمَّ اهْدِنِي فِيمَنْ هَدَيْتَ ، وَعَافِنِي فِيمَنْ عَافَيْتَ ، وَتَوَلَّنِي فِيمَنْ تَوَلَّيْتَ ، وَبَارِكْ لِي فِيمَا أَعْطَيْتَ ، وَقِنِي شَرَّ مَا قَضَيْتَ ، فَإِنَّكَ تَقْضِي وَلاَ يُقْضَى عَلَيْكَ ، وَإِنَّهُ لاَ يَذِلُّ مَنْ وَالَيْتَ ، تَبَارَكْتَ رَبَّنَا وَتَعَالَيْتَ». رَوَاهُ الْخَمْسَةُ ، وَزَادَ الطَّبَرَانِيُّ وَالْبَيْهَقِيُّ : «وَلاَ يَعِزُّ مَنْ عَادَيْتَ» ، زَادَ النَّسَائِيُّ مِنْ وَجْهٍ آخَرَ فِي آخِرِهِ : «وَصَلَّى اللَّهُ - تَعَالَى - عَلَى النَّبِيِّ».

329. Al-Hasan bin 'Alî (RAA) narrated, 'I said to Allâh's Messenger ﷺ, "Teach me some words to say when making *Qunût* in the *Witr* prayer. He taught me, **"Oh Allâh, guide me with those whom You have guided, and strengthen me with those whom You have given strength. Take me into Your care. Bless me in what You have given me. Protect me from the evil You have ordained. Surely You have commanded and are not commanded, and none whom You have committed to**

**Your care shall be humiliated You are Blessed, Our Lord and Exalted."** Related by the five Imâms. At-Tabarânî and Al-Baihaqî added, **"and none whom You have taken as an enemy shall be honored."** An-Nasâ'î added thr-ough another chain of narrators, **"May the Peace and Blessings of Allâh, the Almighty be upon His Prophet."**

٣٣٠ ــ وَلِلْبَيْهَقِيِّ عَنِ ابنِ عَبَّاسٍ قَالَ : «كَانَ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يُعَلِّمُنَا دُعَاءً نَدْعُو بِهِ فِي القُنُوتِ مِنْ صَلاَةِ الصُّبْحِ». وَفِي سَنَدِهِ ضَعْفٌ .

330. Ibn 'Abbâs narrated, 'The Messenger of Allâh ﷺ used to teach us a supplication to recite in the *Qunût* of the *Fajr* prayer." Related by Al-Baihaqî, but with a weak chain of narrators.

٣٣١ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : « إِذَا سَجَدَ أَحَدُكُمْ فَلاَ يَبْرُكْ كَمَا يَبْرُكُ البَعِيرُ ، وَلْيَضَعْ يَدَيْهِ قَبْلَ رُكْبَتَيْهِ » أَخْرَجَهُ الثَّلاثَةُ ، وَهُوَ أَقْوَى مِنْ حَدِيثِ وَائِلِ بنِ حُجْرٍ .

331. Abû Hurairah (RAA) narrated that the Prophet ﷺ said, **"When one of you prostrates, he should not kneel down in his prayer as a camel does** (i.e. put his knees down before his hands). **He must put his hands first** (on the ground) **before he puts his knees down."** Related by the three Imâms. It is stronger than the *Hadîth* narrated by Wâ'il Ibn Hujr.

٣٣٢ــ رَأَيْتُ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا سَجَدَ وَضَعَ رُكْبَتَيْهِ قَبْلَ يَدَيْهِ». أَخْرَجَهُ الأَرْبَعَةُ فَإِنَّ لِلأَوَّلِ شَاهِدًا مِنْ حَدِيثِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - ، صَحَّحَهُ ابْنُ خُزَيْمَةَ ، وَذَكَرَهُ البُخَارِيُّ مُعَلَّقًا مَوْقُوفاً .

332. Wâ'il Ibn Hujr (RAA) narrated, 'I saw the Prophet ﷺ place his knees down when he prostrated before he put his hands.' Related by the four Imâms. The reason behind the strength of the previous narration (of Abû Hurairah) is that it is supported by another narration on the authority of Ibn 'Umar (RAA) which was graded as *Sahîh* by Ibn Khuzaimah. It was also related by Al-

Bukhârî but the chain of narrators is only connected to Nâfi´ (RAA) and does not reach the Prophet ﷺ [125].

٣٣٣ــ وَعَــنْ ابْــنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - : «أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ كَانَ إِذَا قَعَدَ لِلتَّشَهُّدِ وَضَعَ يَدَهُ الْيُسْرَى عَلَى رُكْبَتِهِ الْيُسْرَى ، وَالْيُمْنَى عَلَى الْيُمْنَى ، وَعَقَدَ ثَلَاثًا وَخَمْسِينَ وَأَشَارَ بِإِصْبَعِهِ السَّبَّابَةِ». رَوَاهُ مُسْلِمٌ ، وَفِي رِوَايَةٍ لَهُ : «وَقَبَضَ أَصَابِعَهُ كُلَّهَا ، وَأَشَارَ بِالَّتِي تَلِي الإِبْهَامَ».

333. Ibn 'Umar (RAA) narrated, 'Whenever the Messenger of Allâh ﷺ sat for *Tashahhud*,[126] he would place his left hand on his left knee and his right hand on his right knee and he would form a ring like (fifty-three) and point with his index finger (the right hand is held closed in this case, with the thumb touching the side of the index finger, which alone is extended to point with it.) Related by Muslim. In another version by Muslim, 'And he ﷺ would close his hand (clench his fingers) and point with his index finger.'

٣٣٤ــ وَعَنْ عَبْدِ اللَّهِ بنْ مَسْعُودٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : الْتَفَتَ إِلَيْنَا رَسُولُ اللَّهِ صَــلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ : «إِذَا صَلَّى أَحَدُكُمْ فَلْيَقُلْ : التَّحِيَّاتُ لِلَّهِ ، وَالصَّلَوَاتُ والطَّيِّــبَاتُ ، السَّــلَامُ عَلَيْكَ أَيُّهَا النَّبِيُّ وَرَحْمَةُ اللَّهِ وَبَرَكَاتُهُ ، السَّلَامُ عَلَيْنَا وَعَلَى عِــبَادِ اللَّــهِ الصَّــالِحِينَ ، أَشْهَدُ أَنْ لَا إِلَهَ إِلَّا اللَّهُ وَحْدَهُ لَا شَرِيكَ لَهُ ، وَأَشْهَدُ أَنَّ مُحَمَّــدًا عَــبْدُهُ وَرَسُولُهُ ، ثُمَّ لِيَتَخَيَّرْ مِنَ الدُّعَاءِ أَعْجَبَهُ إِلَيْهِ ، فَيَدْعُو». مُتَّفَقٌ عَلَيْهِ وَاللَّفْظُ لِلْبُخَارِيِّ .

وَلِلنَّسَائِيِّ : كُنَّا نَقُولُ قَبْلَ أَنْ يُفْرَضَ عَلَيْنَا التَّشَهُّدُ . وَلِأَحْمَدَ : أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَلَّمَهُ التَّشَهُّدَ ، وَأَمَرَهُ أَنْ يُعَلِّمَهُ النَّاسَ .

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125- The consensus of the scholars supports the *Hadith* of Ibn Hujr. Imâm Ibnul Qaiyim is also of the opinion that one should put his knees down first. Imâm An-Nawawî said though that it seems that no opinion is more prefe-rable than the other, i.e. both *Ahâdîth* are accepted, and one can go down in any way described.

126- The Testification of faith, which is recited in the final sitting of the prayer.

334. ´Abdullâh Ibn Mas´ûd (RAA) narrated, 'Allâh's Messenger ﷺ turned around to us and said, **"When any of you prays** (and sits for the final *Tashahhud*) **then he should say, 'All greetings of humility are for Allâh, and all prayers** (or more generally all acts of worship) **and good deeds** (all good things, sayings, praising Allâh, *dhikr* of Allâh etc...) **are all for Allâh. Peace be upon you, O Prophet, and the mercy of Allâh and His blessings be upon you. Peace be upon us and upon the righteous slaves of Allâh. I bear witness that none is worthy of worship but Allâh, and I bear witness that Muhammad is His slave and His Messenger.' Then you may choose whatever supplication you like best and recite it."** Agreed upon, and the wording is from Al-Bukhârî.

In the narration of An-Nasâ'î on the authority of Ibn Mas´ûd, 'We used to say (so and so) before the recitation of the *Tashahhud* was made obligatory upon us (as mentioned above).'

In the narration of Ahmad, Ibn Mas´ûd says that the Prophet ﷺ taught him the recitation of the *Tashahhud* and ordered him to teach it to other people.

٣٣٥ــ وَلِمُسْلِمٍ عَنْ ابْنِ عَبَّاسٍ قَالَ : «كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يُعَلِّمُنَا التَّشَهُّدَ : التَّحِيَّاتُ الْمُبَارَكَاتُ الصَّلَوَاتُ الطَّيِّبَاتُ لِلَّهِ» إِلَى آخِرِهِ .

335. Ibn ´Abbâs (RAA) narrated, 'The Messenger of Allâh ﷺ used to teach us to say in the *Tashahhud*, **'Blessed greetings, prayers and good deeds are all for Allâh etc...**(the rest is the same as the one mentioned in *Hadîth* 334.) Related by Muslim.

٣٣٦ ــ وَعَنْ فَضَالَةَ بْنِ عُبَيْدٍ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : سَمِعَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ رَجُلاً يَدْعُو فِي صَلاَتِهِ ، وَلَمْ يَحْمَدِ اللَّهَ ، وَلَمْ يُصَلِّ عَلَى النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ : «عَجِلَ هَذَا» ثُمَّ دَعَاهُ ، فَقَالَ : «إِذَا صَلَّى أَحَدُكُمْ فَلْيَبْدَأْ بِتَحْمِيدِ رَبِّــهِ وَالثَّنَاءِ عَلَيْهِ ، ثُمَّ يُصَلِّي عَلَى النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ثُمَّ يَدْعُو بِمَا شَاءَ». رَوَاهُ أَحْمَدُ وَالثَّلاَثَةُ ، وَصَحَّحَهُ التِّرْمِذِيُّ وَابْنُ حِبَّانَ وَالْحَاكِمُ .

336. Fadâlah bin ´Ubaid (RAA) narrated, "Allâh's Messenger

ﷺ heard a man supplicating during his prayer,[127] but he did not praise Allâh and did not send prayers upon the Prophet ﷺ. Thereupon the Messenger of Allâh ﷺ said, **"This one has been hasty** (i.e. in making his supplication before praising Allâh and praying for His Prophet). He then called him and said, **"When one of you prays, begin by praising Allâh. Then say prayers upon the Prophet, and then supplicate what you wish from Allâh."** Related by A<u>h</u>mad and the three Imâms: At-Tirmidhî, Ibn <u>H</u>ibbân and Al-<u>H</u>âkim graded it as *<u>S</u>a<u>h</u>î<u>h</u>*..

٣٣٧ ــ وَعَنْ أَبِي مَسْعُودٍ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : قَالَ بَشِيرُ بْنُ سَعْدٍ : يَا رَسُولَ اللَّـهِ ، أَمَـرَنَا اللَّـهُ أَنْ نُصَلِّيَ عَلَيْكَ ، فَكَيْفَ نُصَلِّي عَلَيْكَ ؟ فَسَكَتَ ، ثُمَّ قَالَ : «قُولُـوا : اللَّهُمَّ صَلِّ عَلَى مُحَمَّدٍ ، وَعَلَى آلِ مُحَمَّدٍ ، كَمَا صَلَّيْتَ عَلَى إِبْرَاهِيمَ ، وَبَـارِكْ عَلَى مُحَمَّدٍ وَعَلَى آلِ مُحَمَّدٍ ، كَمَا بَارَكْتَ عَلَى إِبْرَاهِيمَ فِي الْعَالَمِينَ إِنَّكَ حَمِيدٌ مَجِيدٌ ، وَالسَّلَامُ كَمَا عَلِمْتُمْ». رَوَاهُ مُسْلِمٌ ، وَزَادَ ابْنُ خُزَيْمَةَ فِيهِ : «فَكَيْفَ نُصَلِّي عَلَيْكَ ، إِذَا نَحْنُ صَلَّيْنَا عَلَيْكَ فِي صَلَاتِنَا ؟».

337. Ibn Mas´ûd (RAA) narrated that 'Bashîr bin Sa´d said, 'O Messenger of Allâh, we have been ordered to send prayers upon you. How do we do it?' 'The Prophet ﷺ was quiet for a moment and then said, **"Say 'O Allâh, Bless Mu<u>h</u>ammad and the family of Mu<u>h</u>ammad as You blessed Ibrâhîm** (in another narration: as You blessed the family of Ibrâhîm). **Grant favors to Mu<u>h</u>ammad and to the family of Mu<u>h</u>ammad as You granted favors to Ibrâhîm in this world** (in another narration to the family of Ibrâhîm). **You are indeed Praiseworthy and Glorious.'And make *Taslîm*[128](salutation) as I have taught you"** Related by Muslim. Ibn Khuzaimah added, 'How do we do it (i.e. what do we say), whenever we send prayers upon you in our prayer?"

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127- The man was most probably sitting for *at-Tashahhud*, and that is why the author mentioned this *<u>H</u>adîth* in this section.

128- Refer to *<u>H</u>adîth* no. 290.

٣٣٨ ــ وَعَنْ أَبِي هُرَيْرَةَ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا تَشَهَّدَ أَحَدُكُمْ فَلْيَسْتَعِذْ بِاللَّهِ مِنْ أَرْبَعٍ ، يَقُولُ : اللَّهُمَّ إِنِّي أَعُوذُ بِكَ مِنْ عَــذَابِ جَهَنَّمَ ، وَمِنْ عَذَابِ الْقَبْرِ ، وَمِنْ فِتْنَةِ الْمَحْيَا وَالْمَمَاتِ ، وَمِنْ فِتْنَةِ الْمَسِيحِ الدَّجَّالِ». مُتَّفَقٌ عَلَيْهِ .

وَفِي رِوَايَةٍ لِمُسْلِمٍ : «إِذَا فَرَغَ أَحَدُكُمْ مِنَ التَّشَهُّدِ الأَخِيرِ».

338. Abû Hurairah (RAA) narrated that the Prophet ﷺ said, **"When any of you finishes reciting the *Tashahhud*, he should then seek refuge in Allâh from the following four** (trials), **and should say, "O Allâh! I seek refuge in You from the torment of the Hell-fire, and from the torment of the grave, from the trials of life and death, and from the** (evil) **trial of the False Messiah (ad-Dajjâl)."** Agreed upon. In the narration of Muslim, **"When one of you finishes reciting the final *Tashahhud*."**

٣٣٩ ــ وَعَــنْ أَبِي بَكْرٍ الصِّدِّيقِ – رَضِيَ اللَّهُ عَنْهُ – أَنَّهُ قَالَ لِرَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَــيْهِ وَسَــلَّمَ : عَلِّمْنِي دُعَاءً أَدْعُو بِهِ فِي صَلاَتِي ، قَالَ : «قُلْ : اللَّهُمَّ إِنِّي ظَلَمْتُ نَفْسِــي ظُلْمًــا كَــثِيرًا ، وَلاَ يَغْفِرُ الذُّنُوبَ إِلاَّ أَنْتَ ، فَاغْفِرْ لِي مَغْفِرَةً مِنْ عِنْدَكَ وَارْحَمْنِي ، إِنَّكَ أَنْتَ الْغَفُورُ الرَّحِيمُ». مُتَّفَقٌ عَلَيْهِ .

339. Abû Bakr (RAA) narrated that he said to the Messenger of Allâh ﷺ 'Teach me a supplication that I may say in my prayer.' He said to him, **" Say, 'O Allâh! I have done great injustice to myself and no one forgives sins but You. So forgive me with Your forgiveness, and have mercy upon me. You are the Most Merciful, Oft-Forgiving."** Agreed upon.

٣٤٠ ــ وَعَنْ وَائِلِ بْنِ حُجْرٍ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : صَلَّيْتُ مَعَ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، فَكَانَ يُسَلِّمُ عَنْ يَمِينِهِ : «السَّلاَمُ عَلَيْكُمْ وَرَحْمَةُ اللَّهِ وَبَرَكَاتُهُ» ، وَعَنْ شِمَالِهِ : «السَّلاَمُ عَلَيْكُمْ وَرَحْمَةُ اللَّهِ وَبَرَكَاتُهُ». رَوَاهُ أَبُو دَاوُدَ بِإِسْنَادٍ صَحِيحٍ .

340. Wâ'il bin Hujr (RAA) narrated, 'I prayed with the Prophet ﷺ, and he would make the *Salâm* (salutation at the end of

prayer) to his right side (saying), **"Peace be upon you and the Mercy of Allâh,"** and to his left side (saying), **"Peace be upon you and the Mercy of Allâh."** Related by Abû Dawûd with a Sahîh (sound) chain of narrators.

٣٤١ ــ وَعَـــنِ الْمُغِيرَةِ بْنِ شُعْبَةَ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَـــانَ يَقُـــولُ فِي دُبُرِ كُلِّ صَلاَةٍ مَكْتُوبَةٍ : «لاَ إِلَهَ إِلاَّ اللَّهُ وَحْدَهُ لاَ شَرِيكَ لَهُ ، لَهُ الْمُلْـــكُ ، وَلَهُ الْحَمْدُ ، وَهُوَ عَلَى كُلِّ شَيْءٍ قَدِيرٌ ، اللَّهُمَّ لاَ مَانِعَ لِمَا أَعْطَيْتَ ، وَلاَ مُعْطِيَ لِمَا مَنَعْتَ ، وَلاَ يَنْفَعُ ذَا الْجَدِّ مِنْكَ الْجَدُّ». مُتَّفَقٌ عَلَيْهِ .

341. Al-Mughîrah bin Shu´bah (RAA) narrated that the Messenger of Allâh ﷺ would say at the end of every obligatory prayer, **"There is no god except Allâh, the One, Who has no partner. His is the dominion and His is the praise. He has power over all things. O Allâh! There is no one who may withhold what You give, and there is no one, who may give what You have withheld. No fortune or prosperity**(whether it be money, children, power etc) **will save or benefit its owner with You** (it is only Your mercy and virtue that benefits anyone). Agreed upon.

٣٤٢ ــ وَعَنْ سَعْدِ بْنِ أَبِي وَقَّاصٍ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ يَتَعَوَّذُ بِهِنَّ دُبُرَ كُلِّ صَلاَةٍ : «اللَّهُمَّ إِنِّي أَعُوذُ بِكَ مِنَ الْبُخْلِ ، وَأَعُوذُ بِكَ مِـــنَ الْجُبْنِ ، وَأَعُوذُ بِكَ مِنْ أَنْ أُرَدَّ إِلَى أَرْذَلِ الْعُمُرِ ، وَأَعُوذُ بِكَ مِنْ فِتْنَةِ الدُّنْيَا ، وَأَعُوذُ بِكَ مِنْ عَذَابِ الْقَبْرِ». رَوَاهُ الْبُخَارِيُّ .

342. Sa´d bin Abî Waqqâs (RAA) narrated that the Messenger of Allâh ﷺ would seek refuge in Allâh at the end of every obligatory prayer, saying, **"I seek refuge in You from miserliness, I seek refuge in You from cowardice, I seek refuge in You from senility, I seek refuge in You from the trials of this world, and I seek refuge in You from the torment of the grave."** Related by Al-Bukhârî.

٣٤٣ ــ وَعَـــنْ ثَوْبَـــانَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِذَا انْصَرَفَ مِنْ صَلاَتِهِ اسْتَغْفَرَ اللَّهَ ثَلاَثًا ، وَقَالَ : «اللَّهُمَّ أَنْتَ السَّلاَمُ ، وَمِنْكَ

السَّلاَمُ ، تَبَارَكْتَ يَا ذَا الْجَلاَلِ وَالإِكْرَامِ». رَوَاهُ مُسْلِمٌ .

343. Thaubân (RAA) narrated, 'When the Prophet ﷺ would finish his prayer, he would seek Allâh's forgiveness three times and then say, **"O Allâh, You are the Peace, and from You comes peace. Blessed are You, Owner of Majesty and Generosity."** Related by Muslim.

٣٤٤ ــ وَعَنْ أَبِي هُرَيْرَةَ – رَضِيَ اللَّهُ عَنْهُ – عَنْ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «مَنْ سَبَّحَ اللَّهَ دُبُرَ كُلِّ صَلاَةٍ ثَلاَثًا وَثَلاَثِينَ ، وَحَمِدَ اللَّهَ ثَلاَثًا وَثَلاَثِينَ ، وَكَبَّرَ اللَّهَ ثَلاَثًا وَثَلاَثِينَ ، فَتِلْكَ تِسْعٌ وَتِسْعُونَ ، وَقَالَ تَمَامَ الْمِائَةِ : لاَ إِلَهَ إِلاَّ اللَّهُ وَحْدَهُ لاَ شَرِيكَ لَهُ ، لَهُ الْمُلْكُ ، وَلَهُ الْحَمْدُ ، وَهُوَ عَلَى كُلِّ شَيْءٍ قَدِيرٌ ، غُفِرَتْ خَطَايَاهُ ، وَلَوْ كَانَتْ مِثْلَ زَبَدِ الْبَحْرِ». رَوَاهُ مُسْلِمٌ ، وَفِي رِوَايَةٍ أُخْرَى : «أَنَّ التَّكْبِيرَ أَرْبَعٌ وَثَلاَثُونَ».

344. Abû Hurairah (RAA), narrated the Prophet ﷺ said, **"Whoever glorifies Allâh** (i.e. say *Subhanal-lâh*) after every (obligatory) **prayer, thirty three times, and praises Allâh** (i.e. say *Alhamdu-lillâh*) **thirty three times, and says the *Takbîr*** (say *Allâhu Akbar),* **this makes 99 times in all, and to complete the hundred, he then says, 'There is no god except Allâh, the One Who has no partner. His is the dominion and His is the praise. He has power over all things.' His sins are forgiven, even if his sins are as abundant as the foam of the sea."** Related by Muslim. In another narration, the *Takbîr* was mentioned to be said thirty four times.

٣٤٥ ــ وَعَنْ مُعَاذِ بْنِ جَبَلٍ ، أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ لَهُ : «أُوصِيكَ يَا مُعَاذُ : لاَ تَدَعَنَّ دُبُرَ كُلِّ صَلاَةٍ أَنْ تَقُولَ : اللَّهُمَّ أَعِنِّي عَلَى ذِكْرِكَ وَشُكْرِكَ وَحُسْنِ عِبَادَتِكَ». رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَالنَّسَائِيُّ بِسَنَدٍ قَوِيٍّ .

345. Mu´âdh bin Jabal (RAA) narrated that the Messenger of Allâh ﷺ said to him, **"I advise you, O Mu´âdh, never neglect to say at the end of every** (obligatory) **prayer, 'O Allâh, help me in Your dhikr (remembrance), Your thanks, and in wor-**

**shipping You in the most perfect way."** Related by Ahmad, Abû Dawûd and An-Nasâ'î with a strong chain of narrators.

٣٤٦ ــ وَعَنْ أَبِي أُمَامَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ قَرَأَ آيَةَ الْكُرْسِيِّ دُبُرَ كُلِّ صَلَاةٍ مَكْتُوبَةٍ لَمْ يَمْنَعْهُ مِنْ دُخُولِ الْجَنَّةِ إِلَّا الْمَوْتُ». رَوَاهُ النَّسَائِيُّ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

وَزَادَ فِيهِ الطَّبَرَانِيُّ : {قُلْ هُوَ اللَّهُ أَحَدٌ} [الصَّمَدُ : ١].

346. Abû Umâmah (RAA) narrated that the Messenger of Allâh ﷺ said, **"Whoever recites the verse of the Throne(*Âyat al-Kursî. 2:244*) at the end of every prayer, nothing will prevent him from entering Paradise except that he must die** (first)." Related by An-Nasâ'î and rendered *Sahîh* by Ibn Hibbân. At-Tabarânî added in his narration, **'and recites "*Say, He is Allâh (the) One ....." (sûrah no. 112).*'**

٣٤٧ ــ وَعَنْ مَالِكِ بْنِ الْحُوَيْرِثِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «صَلُّوا كَمَا رَأَيْتُمُونِي أُصَلِّي». رَوَاهُ الْبُخَارِيُّ .

347. Mâlik bin Al-Huwairith (RAA) narrated, "The Messenger of Allâh ﷺ said, **"Pray as you have seen me praying."** Related by Al-Bukhârî.

٣٤٨ ــ وَعَنْ عِمْرَانَ بْنِ حُصَيْنٍ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «صَلِّ قَائِمًا ، فَإِنْ لَمْ تَسْتَطِعْ فَقَاعِدًا ، فَإِنْ لَمْ تَسْتَطِعْ فَعَلَى جَنْبٍ ، وَإِلَّا فَأَوْمِ». رَوَاهُ الْبُخَارِيُّ .

348. 'Imrân bin al-Husain (RAA) narrated that the Messenger of Allâh ﷺ said, **"Pray standing, if you are not able to; pray sitting; if you are not able to; pray while lying on your side, otherwise pray by nodding your head."** Related by Al-Bukhârî.

٣٤٩ ــ وَعَنْ جَابِرٍ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ النَّبِيَّ قَالَ لِمَرِيضٍ : صَلَّى عَلَى وِسَادَةٍ ، فَرَمَى بِهَا - وَقَالَ : «صَلِّ عَلَى الْأَرْضِ إِنِ اسْتَطَعْتَ ، وَإِلَّا فَأَوْمِ إِيمَاءً ،

وَاجْعَــلْ سُجُودَكَ أَخْفَضَ مِنْ رُكُوعِكَ». رَوَاهُ الْبَيْهَقِيُّ بِسَنَدٍ قَوِيٍّ ، وَلَكِنْ صَحَّحَ أَبُو حَاتِمٍ وَقْفَهُ .

349. Jâbir bin ´Abdullâh narrated, 'The Messenger of Allâh ﷺ saw a sick man praying while sitting on a cushion. The Prophet ﷺ pushed it aside and said to him, **"Pray while sitting on the ground if you can, otherwise, pray by nodding your head, and make a lower nodding for prostration than that for bowing (*rukû´*)."** Related by Al-Baihaqî with a strong chain of narrators.

## بَــابُ سُجُــودِ السَّهْــوِ وَغَيْرِهِ مِنْ سُجُــودِ التِّــلاَوَةِ وَالشُّكْــرِ

## *Chapter VIII: Sujûd as-Sahu (Prostration due to forgetfulness during prayer) Other forms of Sujûd (prostration): Prostration of Qur'ânic Recital, and Prostration of Thankfulness*

٣٥٠ ــ عَــنْ عَــبْدِ اللَّهِ بْنِ بُحَيْنَةَ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ صَــلَّى بِهِمُ الظُّهْرَ ، فَقَامَ فِي الرَّكْعَتَيْنِ الأُولَيَيْنِ ، وَلَمْ يَجْلِسْ ، فَقَامَ النَّاسُ مَعَــهُ ، حَتَّى إِذَا قَضَى الصَّلاَةَ ، وَانْتَظَرَ النَّاسُ تَسْلِيمَهُ ، كَبَّرَ وَهُوَ جَالِسٌ ، وَسَجَدَ سَجْدَتَيْنِ ، قَبْلَ أَنْ يُسَلِّمَ ، ثُمَّ سَلَّمَ». أَخْرَجَهُ السَّبْعَةُ ، وَهَذَا اللَّفْظُ لِلْبُخَارِيِّ .
وَفِــي رِوَايَةٍ لِمُسْلِمٍ : «يُكَبِّرُ فِي كُلِّ سَجْدَةٍ وَهُوَ جَالِسٌ وَيَسْجُدُ ، وَيَسْجُدُ النَّاسُ مَعَهُ ، مَكَانَ مَا نَسِيَ مِنَ الْجُلُوسِ».

350. ´Abdullâh bin Buhainah (RAA) narrated, 'Once the Messenger of Allâh ﷺ led us in *Dhuhr* prayer and stood up after two *rak´ât* and did not sit down (for the middle *Tashahhud*). The people stood up with him. When the prayer was about to end, the people waited for him ﷺ to say the *Taslîm*. He said the *Takbîr* while sitting down, and prostrated twice before he finally said the *Taslîm*." Related by the seven Imâms and the wording is from Al-Bukhârî.

In the narration by Muslim, 'and he ﷺ said the *Takbîr* in each prostration while he was sitting down and would then prostrate.

The people prostrated with him to compensate for the middle sitting (after two *rak´ât*) that he ﷺ forgot (during the prayer)."

٣٥١ — وَعَنْ أَبِي هُرَيْرَةَ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : صَلَّى النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِحْدَى صَلاَتَيِ الْعَشِيِّ رَكْعَتَيْنِ ، ثُمَّ سَلَّمَ ، ثُمَّ قَامَ إِلَى خَشَبَةٍ فِي مُقَدَّمِ الْمَسْجِدِ ، فَوَضَعَ يَدَهُ عَلَيْهَا ، وَفِي الْقَوْمِ أَبُو بَكْرٍ وَعُمَرُ ، فَهَابَا أَنْ يُكَلِّمَاهُ ، وَخَرَجَ سَرَعَانُ النَّاسِ ، فَقَالُوا : قُصِرَتِ الصَّلاَةُ ، وَفِي الْقَوْمِ رَجُلٌ يَدْعُوهُ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ذَا الْيَدَيْنِ فَقَالَ : يَا رَسُولَ اللَّهِ ، أَنَسِيتَ أَمْ قَصُرَتِ الصَّلاَةُ ؟ فَقَالَ : «لَمْ أَنْسَ وَلَمْ تُقْصَرْ» ، فَقَالَ : بَلَى ، قَدْ نَسِيتَ ، فَصَلَّى رَكْعَتَيْنِ ، ثُمَّ سَلَّمَ ، ثُمَّ كَبَّرَ ، ثُمَّ سَجَدَ مِثْلَ سُجُودِهِ ، أَوْ أَطْوَلَ ، ثُمَّ رَفَعَ رَأْسَهُ فَكَبَّرَ ، ثُمَّ وَضَعَ رَأْسَهُ ، فَكَبَّرَ فَسَجَدَ مِثْلَ سُجُودِهِ ، أَوْ أَطْوَلَ ، ثُمَّ رَفَعَ رَأْسَهُ وَكَبَّرَ . مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِلْبُخَارِيِّ . وَفِي رِوَايَةٍ لِمُسْلِمٍ : صَلاَةَ الْعَصْرِ .

351. Abû Hurairah (RAA) narrated, 'The Prophet ﷺ prayed either *Dhuhr* or *´Asr* prayer with us and he prayed only two *rak´ât* and then (finished the prayer) by making the *Taslîm*. He got up and leaned against a piece of wood in the front part of the mosque. Abû Bakr and ´Umar (RAA) were present among the people on that day, but they did not dare to speak to the Prophet ﷺ (about the two remaining *rak´ât*). Some people left the mosque in a hurry and wondered, 'Has the prayer been shortened?' Among the people there was a man called Dhul Yadain[129] who said, 'O Messenger of Allâh, have you forgotten or has the prayer been shortened?' The Messenger of Allâh said, **"I have not forgotten and the prayer has not been shortened."** Dhul Yadain then said, 'Surely you have forgotten, O Allâh's Messenger." So the Prophet ﷺ got up and prayed two (more) *rak´ât* and finished the prayer with *Taslîm*. After that he said *Takbîr* and prostrated the way he usually prostrated or perhaps a little longer. Next he raised his head and said the *Takbîr*. Then he said the *Takbîr* again and performed another prostration, the way he usually prostrated or perhaps a little lon-

129- The Messenger of Allâh ﷺ called him Dhul Yadain (the man with the two hands) because his hands were long.

ger. Finally he raised his head and said the *Takbîr*. (The Prophet ﷺ performed the two prostrations of forgetfulness *(Sujûd as-Sahu)* after praying the two missed *rak'ât*." Agreed upon. In the narra-tion of Muslim, "In the *'Asr* prayer."

٣٥٢ ــ وَلِأَبِي دَاوُدَ ، فَقَالَ : «أَصَدَقَ ذُو الْيَدَيْنِ ؟» فَأَوْمَأُوا : أَيْ نَعَمْ ، وَهِيَ فِي الصَّحِيحَيْنِ ، لَكِنْ بِلَفْظِ : فَقَالُوا .

352. In the narration of Abû Dawûd, 'The Prophet ﷺ said (to the people in the mosque), **"Is it 'true' as Dhul Yadain has just said?"** The people nodded their heads confirming what he said. This narration is also in Al-Bukhârî and Muslim but with the wor-ding, 'They said "Yes" instead of "nodded their heads."

٣٥٣ ــ وَفِي رِوَايَةٍ لَهُ : «وَلَمْ يَسْجُدْ حَتَّى يَقَّنَهُ اللَّهُ - تَعَالَى - ذَلِكَ».

353. In another narration by Abû Dawûd on the authority of Abû Hurairah, 'and he ﷺ did not prostrate until Allâh, the Exal-ted, made him absolutely sure about it (that he had only prayed two *rak'ât*).

٣٥٤ ــ وَعَــنْ عِمْرَانَ بْنِ حُصَيْنٍ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ صَلَّى بِهِمْ ، فَسَهَا ، فَسَجَدَ سَجْدَتَيْنِ ، ثُمَّ تَشَهَّدَ ، ثُمَّ سَلَّمَ». رَوَاهُ أَبُو دَاوُدَ ، وَالتِّرْمِذِيُّ وَحَسَّنَهُ ، وَالْحَاكِمُ وَصَحَّحَهُ .

354. 'Imrân bin al-Husain (RAA) narrated that the Messenger of Allâh ﷺ led them in prayer and forgot (to do something), so he made two prostrations and recited the *Tashahhud* and then said the *Taslîm*." Related by Abû Dawûd and At-Tirmidhî, who graded it as *Hasan* (good).

٣٥٥ ــ وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا شَكَّ أَحَدُكُمْ فِي صَلَاتِهِ ، فَلَمْ يَدْرِ كَمْ صَلَّى أَثَلَاثًا أَمْ أَرْبَعًا ؟ فَلْيَطْرَحِ الشَّكَّ وَلْيَبْنِ عَلَى مَا اسْتَيْقَنَ ، ثُمَّ يَسْجُدْ سَجْدَتَيْنِ قَبْلَ أَنْ يُسَلِّمَ ، فَإِنْ كَانَ

صَلَّى خَمْسًا شَفَعْنَ لَهُ صَلَاتَهُ ، وإِنْ كَانَ صَلَّى تَمَامًا كَانَتَا تَرْغِيمًا لِلشَّيْطَانِ». رَوَاهُ مُسْلِمٌ .

355. Abû Sa´îd al-Khudrî (RAA) narrated that Allâh's Messenger ﷺ said, **"If one of you is uncertain during his prayer, and he does not remember for sure** (the number of *rak´ât*) **he has prayed, three or four *rak´ât*, then he should put an end to his doubts and proceed in his prayer based on the number** (of *rak´ât*) **that he is certain he had performed**[130] **and then make two prostrations before the *Taslîm*. If he had prayed five *rak´ât*, the two prostrations would make his prayer even** (i.e. with an even number of *rak´ât* as the two prostrations are considered as one *rak´ah*). **If he had prayed four complete *rak´ât*** (when he had finished), **they would be in defiance of Satan."** Related by Muslim.

٣٥٦ ــ وَعَنِ ابْنِ مَسْعُودٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : صَلَّى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَلَمَّا سَلَّمَ قِيلَ لَهُ : يَا رَسُولَ اللَّهِ ، أَحَدَثَ فِي الصَّلَاةِ شَيْءٌ ؟ قَالَ : «وَمَا ذَاكَ ؟» قَالُوا : صَلَّيْتَ كَذَا وَكَذَا ، قَالَ : فَثَنَى رِجْلَيْهِ وَاسْتَقْبَلَ الْقِبْلَةَ ، فَسَجَدَ سَجْدَتَيْنِ ، ثُمَّ سَلَّمَ ، ثُمَّ أَقْبَلَ عَلَى النَّاسِ بِوَجْهِهِ فَقَالَ : «إِنَّهُ لَوْ حَدَثَ فِي الصَّلَاةِ شَيْءٌ أَنْبَأْتُكُمْ بِهِ ، وَلَكِنْ إِنَّمَا أَنَا بَشَرٌ مِثْلُكُمْ أَنْسَى كَمَا تَنْسُونَ ، فَإِذَا نَسِيتُ فَذَكِّرُونِي ، وَإِذَا شَكَّ أَحَدُكُمْ فِي صَلَاتِهِ فَلْيَتَحَرَّ الصَّوَابَ ، فَلْيُتِمَّ عَلَيْهِ ، ثُمَّ لِيَسْجُدْ سَجْدَتَيْنِ». مُتَّفَقٌ عَلَيْهِ .

356. ´Abdullâh Ibn Mas´ûd (RAA) narrated, 'Once Allâh's Messenger ﷺ was praying, and when he said the *Taslîm*, he was asked, 'O Messenger of Allâh, has something new happened in the prayer? He replied,**"What is that?"** They said, 'You prayed so and so many *rak´ât*.' The Messenger of Allâh then changed the position of his feet, faced the Qiblah and made two prostrations. After he

130- He must always assume that he certainly prayed the lesser number of *rak´ât*). For example if he is in doubt whether he prayed three or four *rak´ât*, he assumes that he certainly prayed three, if he is uncertain whether he prayed two or one *rak´ah*, he assumes that he prayed only one and so on.

said the *Taslîm,* he turned his face to the people and said,**"If anything new happened in the prayer, I would have informed you about it. But I am only a human being and I forget just as you do, so when I forget, remind me, and when any of you is uncertain about his prayer, he should try his best to remember exactly what he did, and then proceed with his prayer taking this into consideration** (whether concerning a *rak'ah* or an integral part of the prayer)**. Then he should make two prostrations."** Agreed upon.

٣٥٧ ـــ وَفِي رِوَايَةٍ لِلْبُخَارِيِّ : «فَلْيُتِمَّ ثُمَّ يُسَلِّمْ ثُمَّ يَسْجُدْ».

357. In the narration of al-Bukhârî, **" He must finish his prayer, say the *Taslîm* and then make the two prostrations afterwards."**

٣٥٨ ـــ وَلِمُسْلِمٍ : أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ سَجَدَ سَجْدَتَي السَّهْوِ بَعْدَ السَّلَامِ وَالْكَلَامِ .

358. In the narration of Muslim, "The Messenger of Allâh ﷺ made the two prostrations of *Sahu*(forgetfulness) after making the *Taslîm* and talking (the dialogue that took place between him and the Companions about what happened in the prayer)."

٣٥٩ ـــ وَلِأَحْمَدَ ، وَأَبِي دَاوُدَ ، وَالنَّسَائِيِّ مِنْ حَدِيثِ عَبْدِ اللَّهِ بْنِ جَعْفَرٍ مَرْفُوعًا : «مَنْ شَكَّ فِي صَلَاتِهِ فَلْيَسْجُدْ سَجْدَتَيْنِ بَعْدَ مَا يُسَلِّمُ». وَصَحَّحَهُ ابْنُ خُزَيْمَةَ .

359. 'Abdullâh bin Ja'far (RAA) narrated that the Messenger of Allâh ﷺ said, **"Whoever is uncertain about his prayer, he should make two prostrations after the *Taslîm*."**[131] Related by Ahmad and Abû Dawûd, and graded *Sahîh* by Ibn Khuzaimah.

٣٦٠ ـــ وَعَنِ الْمُغِيرَةِ بْنِ شُعْبَةَ أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «إِذَا شَكَّ

131- There is a difference of opinion whether to make the prostrations before or after the *Taslîm* as both cases are mentioned in the *Ahâdîth*, but Imâm Ahmad said that it is better to apply each *Hadîth* in similar cases, and if it is not mentioned in any of the aforementioned *Ahâdîth*, then it is better to prostrate before *Taslîm*, or he has the choice to do either.

أَحَدُكُمْ ، فَقَامَ فِي الرَّكْعَتَيْنِ ، فَاسْتَتَمَّ قَائِمًا ، فَلْيَمْضِ ، وَلاَ يَعُودُ ، وَلْيَسْجُدْ سَجْدَتَيْنِ ، فَإِنْ لَمْ يَسْتَتِمَّ قَائِمًا فَلْيَجْلِسْ وَلاَ سَهْوَ عَلَيْهِ». رَوَاهُ أَبُو دَاوُدَ ، وَابْنُ مَاجَهْ ، وَالدَّارَقُطْنِيُّ ، وَاللَّفْظُ لَهُ ، بِسَنَدٍ ضَعِيفٍ .

360. Al-Mughîrah bin Shu'bah (RAA) narrated that the Messenger of Allâh ﷺ said, **"If one of you is in doubt** (about which *rak'ah* he is praying) **and he stood up after praying two *rak'ât*, and he has already stood straight** (when he remembered that he forgot to sit)**, he should proceed** (with his prayer) **and must not sit back again, but he should perform two prostrations (of forgetfulness). If he** (remembers when he) **has not completely stood up straight, then he should sit down** (for the middle *Tashahhud*) **and he does not have to make the two prostrations of *Sahu* (forgetfulness)."** Related by Abû Dawûd, Ibn Mâjah and Ad-*Dâraqutnî* with a weak chain of narrators. The wording is from ad-*Dâraqutnî*.

٣٦١ ــ وَعَنْ عُمَرَ – رَضِيَ اللَّهُ عَنْهُ – عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لَيْسَ عَلَى مَنْ خَلْفَ الإِمَامِ سَهْوٌ ، فَإِنْ سَهَا الإِمَامُ فَعَلَيْهِ وَعَلَى مَنْ خَلْفَهُ». رَوَاهُ التِّرْمِذِيُّ وَالْبَيْهَقِيُّ بِسَنَدٍ ضَعِيفٍ .

361. 'Umar (RAA) narrated that the Messenger of Allâh ﷺ said, **"The one who is led in prayer does not have to make the two prostrations of forgetfulness. But if the Imâm himself forgets, both the Imâm and those praying behind him must make the two prostrations."** Related by at-Tirmidhî and Al-Baihaqî with a weak chain of narrators.

٣٦٢ ــ وَعَنْ ثَوْبَانَ عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنَّهُ قَالَ : «لِكُلِّ سَهْوٍ سَجْدَتَانِ بَعْدَ مَا يُسَلِّمُ». رَوَاهُ أَبُو دَاوُدَ ، وَابْنُ مَاجَهْ بِسَنَدٍ ضَعِيفٍ .

362. Thaubân (RAA) narrated that the Messenger of Allâh ﷺ said, **"One must prostrate twice (*Sujûd as-Sahu*) every time he forgets[132]any of the actions of the prayer."** Related by Abû Dawûd and Ibn Mâjah with a weak chain of narrators.

132- What is meant here is that he performs only two prostrations at the end of the prayer, for any number of actions, which he forgot in one prayer.

٣٦٣ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «سَجَدْنَا مَعَ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فِي : {إِذَا السَّمَاءُ انْشَقَّتْ} [الإنْشِقَاقْ : ١] ، وَ {اقْرَأْ بِاسْمِ رَبِّكَ الَّذِي خَلَقَ} [الْعَلَقْ : ١] رَوَاهُ مُسْلِمٌ .

363. Abû Hurairah (RAA) narrated, 'We performed prostration along with the Messenger of Allâh when he recited, ***"When the heaven split asunder," (sûrah no.84)*** and when he recited, ***"Read! in the Name of your Lord, Who has created.." (Sûrah no. 96)***[133] Related by Muslim.

٣٦٤ ــ وَعَنْ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : {ص}[ص : ١] لَيْسَتْ مِنْ عَــزَائِمِ السُّــجُودِ ، وَقَــدْ رَأَيْتُ رَسُولَ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَسْجُدُ فِيهَا». رَوَاهُ الْبُخَارِيُّ .

364. Ibn ´Abbâs (RAA) narrated, 'The prostration in *sûrah* *Sâd*, is not a compulsory one, but I saw the Messenger of Allâh ﷺ prostrating when he recited it." Related by Al-Bukhârî.

٣٦٥ ــ وَعَنْهُ : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ سَجَدَ بِالنَّجمِ». رَوَاهُ الْبُخَارِيُّ .

365. Ibn ´Abbâs (RAA) narrated, 'The Messenger of Allâh ﷺ prostrated when he recited (*sûrah*) ***"an-Najm" (sûrah no. 53).*** Related by Al-Bukhârî.

٣٦٦ ــ وَعَنْ زَيْدِ بْنِ ثَابِتٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «قَرَأْتُ عَلَى النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ النَّجْمَ ، فَلَمْ يَسْجُدْ فِيهَا». مُتَّفَقٌ عَلَيْهِ .

366. Zaid bin Thâbit narrated, 'I recited (*sûrah*) ***"an-Najm"*** to the Prophet ﷺ but he did not prostrate."[134] Agreed upon.

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133- I.e. The Prophet ﷺ prostrated when he recited the verse *(Ayah)* of prostration in each of these *Sûras*.

134- This kind of prostration is *Sunnah* (i.e. not obligatory) for the one reciting or listening, but it is preferable to do it.

٢٦٧ ـــ وَعَـــنْ خَـــالِدِ بْنِ مَعْدَانَ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : «فُضِّلَتْ سُورَةُ الْحَجِّ بِسَجْدَتَيْنِ». رَوَاهُ أَبُو دَاوُدَ فِي الْمَرَاسِيلِ .

367. Khâlid bin Ma´dân (RAA) narrated, '*Sûrah* ***"al-Hajj"(no. 22) is more excellent*** than the other *Sûras* by having two prostrations (i.e. two verses of prostration.)" Related by Abû Dawûd.

٣٦٨ ـــ وَرَوَاهُ أَحْمَدُ وَالتِّرْمِذِيُّ مَوْصُولاً مِنْ حَدِيثِ عُقْبَةَ بْنِ عَامِرٍ ، وَزَادَ : «فَمَنْ لَمْ يَسْجُدْهُمَا فَلاَ يَقْرَأْهَا». وَسَنَدُهُ ضَعِيفٌ .

368. Ahmad and At-Tirmidhî related the above *Hadîth* on the authority of ´Uqbah bin ´Âmir, linked up to the Prophet ﷺ. At-Tirmidhî added, **'The one who does not make the two prostrations** (when reciting the *sûrah*), **should not recite them."** The chain of narrators of this *Hadîth* is weak.

٣٦٩ ـــ وَعَـــنْ عُمَرَ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : «يَا أَيُّهَا النَّاسُ إِنَّا نَمُرُّ بِالسُّجُودِ ، فَمَنْ سَجَدَ فَقَدْ أَصَابَ ، وَمَنْ لَمْ يَسْجُدْ فَلاَ إِثْمَ عَلَيْهِ». رَوَاهُ الْبُخَارِيُّ ، وَفِيهِ : أَنَّ اللَّهَ – تَعَالَى – لَمْ يَفْرِضِ السُّجُودَ إِلاَّ أَنْ نَشَاءَ ، وَهُوَ فِي الْمُوَطَّإِ .

369. ´Umar (RAA) narrated, 'O people, we came across verses of prostration,[135] whoever prostrates has done the right thing, yet there is no sin upon the one who does not do so." Related by Al-Bukhârî. This *Hadîth* has the addition, 'Allâh, Glorified be He, has not made it compulsory for us to make the prostration (of Qur'ânic recitation), but whoever wishes can make it."This *Hadîth* is also in *al-Muwatta'*.

٣٧٠ ـــ وَعَـــنِ ابْنِ عُمَرَ – رَضِيَ اللَّهُ عَنْهُمَا – قَالَ : «كَانَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ يَقْـــرَأُ عَلَيْـــنَا الْقُـــرْآنَ ، فَـــإِذَا مَرَّ بِالسَّجْدَةِ كَبَّرَ وَسَجَدَ وَسَجَدْنَا مَعَهُ». رَوَاهُ أَبُو دَاوُدَ بِسَنَدٍ فِيهِ لِينٌ .

135- ´Umar (RAA) said this in the Friday *Khutbah* (sermon), because one Friday he recited *sûrah an-Nahl* and he came down from the pulpit and prostrated along with the people. The next Friday he recited the same *sûrah* but did not prostrate, hence he said what is in the *Hadîth*.

370. Ibn 'Umar (RAA) narrated, 'The Messenger of Allâh ﷺ would recite the Qur'ân to us, and when he came to a verse of *Sajdah* (prostration) he would say the *Takbîr* and prostrate, and we would make the *Sajdah* with him."Related by Abû Dawûd with a weak chain of narrators.

٣٧١ ـــ وَعَنْ أَبِي بَكْرَةَ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ إِذَا جَاءَهُ خَبَرٌ يَسُرُّهُ خَرَّ سَاجِدًا لِلَّهِ». رَوَاهُ الْخَمْسَةُ إِلاَّ النَّسَائِيَّ .

371. Abû Bakrah (RAA) narrated, 'Whenever the Prophet ﷺ received something which pleased him (e.g. good news), he would make the *Sajdah* (prostration) in gratitude to Allâh." Related by the five Imâms except An-Nasâ'î.

٣٧٢ ـــ وَعَنْ عَبْدِ الرَّحْمَنِ بْنِ عَوْفٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : سَجَدَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَأَطَالَ السُّجُودَ ، ثُمَّ رَفَعَ رَأْسَهُ ، فَقَالَ : «إِنَّ جِبْرِيلَ أَتَانِي ، فَبَشَّرَنِي ، فَسَجَدْتُ لِلَّهِ شُكْرًا». رَوَاهُ أَحْمَدُ ، وَصَحَّحَهُ الْحَاكِمُ .

372. 'Abdur Ra<u>h</u>mân bin 'Auf (RAA) narrated, 'The messenger of Allah prostrated, but it was so long (that 'Abdur Ra<u>h</u>mân was worried about him). When he raised his head, he said (to him), **"Jibrîl came to me and told me some glad tidings, so I prostrated out of thanks to Allâh."**[136] Related by A<u>h</u>mad and al-<u>H</u>âkim graded it as *<u>Sahîh</u>*.

٣٧٣ ـــ وَعَنِ الْبَرَاءِ بْنِ عَازِبٍ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بَعَثَ عَلِيًّا إِلَى الْيَمَنِ - فَذَكَرَ الْحَدِيثَ - قَالَ : فَكَتَبَ عَلِيٌّ بِإِسْلاَمِهِمْ فَلَمَّا قَرَأَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ الْكِتَابَ خَرَّ سَاجِدًا ؛ شُكْرًا لِلَّهِ - تَعَالَى - عَلَى ذَلِكَ». رواه الْبَيْهَقِيُّ ، وَأَصْلُهُ فِي الْبُخَارِيِّ .

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136- The Messenger of Allâh ﷺ said to 'Abdur Ra<u>h</u>mân (who was watching him at the time), **"Jibrîl came to me and said,** 'Shall I not give you glad tidings?' Allâh says to you, **"Whoever prays upon you, I pray upon him. Whoever salutes you (says *Assalamu 'Alaikum*) I salute him." Therefore I prostrated to Allâh in Thanks."** In another narration, **"Whoever prays upon you once, Allâh will pray upon him 10 times."**

373. Al-Barâ' bin ´Âzib (RAA) narrated, 'The Messenger of Allâh ﷺ sent ´Alî to Yemen – and Al-Barâ' mentioned the rest of the *Hadîth*. He continued, "´Alî then sent a letter telling (the Prophet ﷺ) that they had embraced Islâm. When the Messenger of Allâh ﷺ read the letter, he went down to prostrate in gratitude to Allâh, the Almighty, for this." Related by al-Baihaqî.

## بَـــابُ صَـــلاَةِ التَّطَـــوُّعِ

## *Chapter IX: Supererogatory (voluntary) Prayer*

٣٧٤ ـــ عَـــنْ رَبِــيعَةَ بْنِ مَالِكٍ الأَسْلَمِيِّ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : قَالَ لِي النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «سَلْ» ، فَقُلْتُ : أَسْأَلُكَ مُرَافَقَتَكَ فِي الْجَنَّةِ ، فَقَالَ : «أَوَ غَـــيْرَ ذَلِـــكَ» ، فَقُلْـــتُ : هُوَ ذَاكَ ، قَالَ : «فَأَعِنِّي عَلَى نَفْسِكَ بِكَثْرَةِ السُّجُودِ». رَوَاهُ مُسْلِمٌ .

374. Rabî´ah bin Ka´b Al-Aslamî (RAA) narrated that the Messenger of Allâh ﷺ once said to me, **"Ask** (me about whatever you want)**."** I said, 'I ask your company in Paradise.' He then said ﷺ, **"Or anything else** (that you want to ask for)**?"** I said, 'That is it.' He said, **"Then help me to achieve this** (wish) **for you, by prostrating**[137] **as much as you can."** Related by Muslim.

٣٧٥ ـــ وَعَنِ ابْنِ عُمَرَ – رَضِيَ اللَّهُ عَنْهُمَا – قَالَ : «حَفِظْتُ مِنَ النَّبِيِّ صَلَّى اللَّهُ عَلَـــيْهِ وَسَلَّمَ عَشْرَ رَكَعَاتٍ : رَكْعَتَيْنِ قَبْلَ الظُّهْرِ ، وَرَكْعَتَيْنِ بَعْدَهَا ، وَرَكْعَتَيْنِ بَعْدَ الْمَغْـــرِبِ فِـــي بَيْـــتِهِ ، وَرَكْعَتَـــيْنِ بَعْدَ الْعِشَاءِ فِي بَيْتِهِ ، وَرَكْعَتَيْنِ قَبْلَ الصُّبْحِ». مُتَّفَقٌ عَلَيْهِ ، وَفِي رِوَايَةٍ لَهُمَا : «وَرَكْعَتَيْنِ بَعْدَ الْجُمُعَةِ فِي بَيْتِهِ».

375. Ibn ´Umar (RAA) narrated, "I learnt and observed from the Messenger of Allâh ﷺ, ten *rak´ât* (of *Sunnah* or non-obligatory

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137- The Prophet ﷺ was referring to prostrating in prayer. The kind of prayer he is guiding Rabî´ah to perform, is the voluntary prayer, as every Muslim must perform the obligatory prayer anyway. (Imâm As-San´ânî in *Subul As-Salâm*).

prayers)[138]: two before *Dhuhr* prayer, and two after it, two after *Maghrib* in his house, two after *'Ishâ'* in his house and two *rak'ât* before *Fajr*."Agreed upon. In another narration by Al-Bukhârî and Muslim, 'and two *rak'ât* after the Friday prayer in his house."

٣٧٦ ـــ وَلِمُسْلِمٍ : «كَانَ إِذَا طَلَعَ الْفَجْرُ لاَ يُصَلِّي إِلاَّ رَكْعَتَيْنِ خَفِيفَتَيْنِ».

376. Muslim reported on the authority of Ibn 'Umar, 'The Messenger of Allâh ﷺ used to pray only two short *rak'ât* (i.e. would recite short verses of the Qur'ân) when it was time for *Fajr* prayer."

٣٧٧ ـــ وَعَـــنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ لاَ يَدَعُ أَرْبَعاً قَبْلَ الظُّهْرِ ، وَرَكْعَتَيْنِ قَبْلَ الغَدَاةِ» رَوَاهُ الْبُخَارِيُّ .

377. 'Â'ishah (RAA) narrated, 'The Messenger of Allâh ﷺ used to always pray four *rak'ât* before *Dhuhr* and two *rak'ât* before *Fajr* under all circumstances." Related by Al-Bukhârî.

٣٧٨ ـــ وَعَنْهَا - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «لَمْ يَكُنْ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَلَى شَيْءٍ مِنَ النَّوَافِلِ أَشَدَّ تَعَاهُدًا مِنْهُ عَلَى رَكْعَتَي الْفَجْرِ». مُتَّفَقٌ عَلَيْهِ .

378. 'Â'ishah (RAA) narrated, 'The Messenger of Allâh ﷺ was never so regular and keen on observing any supererogatory prayer, as he was in observing the two *rak'ât* before *Fajr* prayer.' Agreed upon.

٣٧٩ ـــ وَلِمُسْلِمٍ : «رَكْعَتَا الْفَجْرِ خَيْرٌ مِنَ الدُّنْيَا وَمَا فِيهَا».

379. 'Â'ishah (RAA) narrated that the Messenger of Allâh ﷺ said, **"The two *rak'ât* of *Fajr* are better than this world and all that it contains."** Related by Muslim.

٣٨٠ ـــ وَعَـــنْ أُمِّ حَبِيبَةَ أُمِّ الْمُؤْمِنِينَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ : « مَنْ صَلَّى اثْنَتَيْ عَشَرَةَ رَكْعَةً فِي يَوْمِهِ وَلَيْلَتِهِ بُنِيَ

138- Ibn 'Umar here is referring to the non-obligatory prayers that are offered before and after the prescribed ones.

لَهُ بِهِنَّ بَيْتٌ فِي الْجَنَّةِ». رَوَاهُ مُسْلِمٌ ، وَفِي رِوَايَةٍ : «تَطَوُّعًا».

380. Umm Habîbah, Mother of believers (RAA) narrated, 'I heard the Messenger of Allâh ﷺ say, **"Whoever prays twelve *rak´ât* during the day and night will have a house built for him in paradise."** Related by Muslim. In another narrations, **"twelve voluntary *rak´ât*."**

٣٨١ ــ وَلِلتِّرْمِذِيِّ نَحْوُهُ ، وَزَادَ : «أَرْبَعًا قَبْلَ الظُّهْرِ ، وَرَكْعَتَيْنِ بَعْدَهَا ، وَرَكْعَتَيْنِ بَعْدَ الْمَغْرِبِ ، وَرَكْعَتَيْنِ بَعْدَ الْعِشَاءِ ، وَرَكْعَتَيْنِ قَبْلَ صَلَاةِ الْفَجْرِ».

381. At-Tirmidhî related a similar narration with the addition, **"four *rak´ât* before *Dhuhr* and two after it, two *rak´ât* after *Maghrib*, two *rak´ât* after *'Ishâ'* and two *rak´ât* before *Fajr*."**

٣٨٢ ــ وَلِلْخَمْسَةِ عَنْهَا : «مَنْ حَافَظَ عَلَى أَرْبَعٍ قَبْلَ الظُّهْرِ ، وَأَرْبَعٍ بَعْدَهَا حَرَّمَهُ اللَّهُ - تَعَالَى - عَلَى النَّارِ».

382. Umm Habîbah, Mother of believers (RAA) narrated, 'I heard the Messenger of Allâh ﷺ say, **"Whoever prays four *rak´ât* before *Dhuhr* and four after it, Allâh will prohibit that his flesh be in the Hell Fire** (i.e. will protect him from entering the Fire)." Related by the five Imâms.

٣٨٣ ــ وَعَنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «رَحِمَ اللَّهُ امْرَأً صَلَّى أَرْبَعًا قَبْلَ الْعَصْرِ». رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَالتِّرْمِذِيُّ ، وَحَسَّنَهُ . وَابْنُ خُزَيْمَةَ ، وَصَحَّحَهُ .

383. 'Abdullâh Ibn 'Umar (RAA) narrated that Allâh's Messenger ﷺ said, **"May Allâh have mercy on a person who prays four *rak´ât* before *´Asr*."** Related by Ahmad, Abû Dawûd, At-Tirmidhî (who rendered it *Hasan*) and Ibn Khuzaimah.

٣٨٤ ــ وَعَنْ عَبْدِ اللَّهِ بْنِ مُغَفَّلٍ الْمُزَنِيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «صَلُّوا قَبْلَ الْمَغْرِبِ ، صَلُّوا قَبْلَ الْمَغْرِبِ» ، ثُمَّ قَالَ فِي

الثَّالِثَة : «لِمَنْ شَاءَ» كَرَاهِيَةَ أَنْ يَتَّخِذَهَا النَّاسُ سُنَّةً . رَوَاهُ الْبُخَارِيُّ .

384. 'Abdullâh bin Mughaffal Al-Muzanî (RAA) narrated that Allâh's Messenger ﷺ said, **"Pray before *Maghrib*** (prayer)! **Pray before *Maghrib*** (prayer)!" And after saying it a third time, he said: **"For whoever wishes to do so,"** not wanting the people to take it as a *Sunnah*.' Related by Al-Bukhârî.

٣٨٥ ــ وَفِي رِوَايَةٍ لابْنِ حِبَّانَ : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ صَلَّى قَبْلَ الْمَغْرِبِ رَكْعَتَيْنِ».

385. In another version related by Ibn Hibbân on the authority of Ibn Mughaffal, "The Prophet ﷺ prayed two *rak'ât* before *Maghrib* prayer."

٣٨٦ ــ وَلِمُسْلِمٍ عَنِ ابْنِ عَبَّاسٍ قَالَ : «كُنَّا نُصَلِّي رَكْعَتَيْنِ بَعْدَ غُرُوبِ الشَّمْسِ ، وَكَانَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَرَانَا ، فَلَمْ يَأْمُرْنَا ، وَلَمْ يَنْهَنَا».

386. Ibn 'Abbâs (RAA) narrated, 'We used to pray two *rak'ât* after sunset (before the *Maghrib* prayer), and the Prophet ﷺ would see us, but he did not order us to do so, nor did he prohibit us.' Related by Muslim.

٣٨٧ ــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «كَانَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يُخَفِّفُ الرَّكْعَتَيْنِ اللَّتَيْنِ قَبْلَ صَلَاةِ الصُّبْحِ ، حَتَّى إِنِّي أَقُولُ : أَقَرَأَ بِأُمِّ الْكِتَابِ ؟». مُتَّفَقٌ عَلَيْهِ .

387. 'Â'ishah (RAA) narrated, 'The Messenger of Allâh ﷺ used to make the two *rak'ât* before *Fajr* so short that I used to say (to myself), "Has he recited the *Fâtihah* (in each *rak'ah*) or not?" Agreed upon.

٣٨٨ ــ وَعَنْ أَبِي هُرَيْرَةَ : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَرَأَ فِي رَكْعَتَي الْفَجْرِ : {قُلْ يَا أَيُّهَا الْكَافِرُونَ} [الْكَافِرُون : ١] ، وَ{قُلْ هُوَ اللَّهُ أَحَدٌ} [الإخْلَاص : ١] . رَوَاهُ مُسْلِمٌ .

388. Abu' Hurairah (RAA) narrated, 'The Messenger of Allâh

ﷺ recited the following (Sûras) in the two *rak´ât* before *Fajr* prayer: ***"Say: O disbelievers" (Sûrah no. 109)*** and ***"Say, He is Allâh (the) One ..." (sûrah no. 112).'*** Related by Muslim.

٣٨٩ ــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «كَانَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِذَا صَلَّى رَكْعَتَي الْفَجْرِ اضْطَجَعَ عَلَى شِقِّهِ الأَيْمَنِ». رَوَاهُ الْبُخَارِيُّ .

389. ´Â'ishah (RAA) narrated, 'The Messenger of Allâh ﷺ used to lie down on his right side after he had prayed the two *rak´*ât before the *Fajr* prayer." Related by Al-Bukhârî.

٣٩٠ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا صَلَّى أَحَدُكُمُ الرَّكْعَتَيْنِ قَبْلَ صَلاَةِ الصُّبْحِ فَلْيَضْطَجِعْ عَلَى جَنْبِهِ الإِيْمَنِ». رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَالتِّرْمِذِيُّ وَصَحَّحَهُ .

390. Abû Hurairah (RAA) narrated that the Prophet ﷺ said, "**After any of you prays the two *rak´*ât before *Fajr* prayer, he should lie down on his right side.**" Related by Ahmad, Abû Dawûd and At-Tirmidhî who graded it as Sahîh.

٣٩١ ــ وَعَنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «صَلاَةُ اللَّيْلِ مَثْنَى مَثْنَى ، فَإِذَا خَشِيَ أَحَدُكُمُ الصُّبْحَ صَلَّى رَكْعَةً وَاحِدَةً ، تُوتِرُ لَهُ مَا قَدْ صَلَّى». مُتَّفَقٌ عَلَيْهِ .

391. 'Abdullâh Ibn 'Umar (RAA) narrated that Allâh's Messenger ﷺ said, "**The night prayer is** (performed) **in sets of two *rak´ât*. If one fears the breaking of dawn, he should perform one** (more) ***rak´ah*, thereby making all of them** (into an) **odd** (number of *rak´ât*) ***(witr)*.**" Agreed upon.

٣٩٢ ــ وَلِلْخَمْسَةِ - وَصَحَّحَهُ ابْنُ حِبَّانَ - بِلَفْظِ : «صَلاَةُ اللَّيْلِ وَالنَّهَارِ مَثْنَى مَثْنَى». وَقَالَ النَّسَائِيُّ : هَذَا خَطَأٌ .

392. The five Imâms related on the authority of Abu´ Hurairah, "**The prayer of the night prayer and the day is** (perfor-

med) **in sets of two *rak'ât*."** Ibn Hibbân graded it as Sahîh, but An-Nasâ'î said that this was wrong.[139]

٣٩٣ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «أَفْضَلُ الصَّلاَةِ بَعْدَ الْفَرِيضَةِ صَلاَةُ اللَّيْلِ». رَوَاهُ مُسْلِمٌ .

393. Abû Hurairah (RAA) narrated that the Prophet ﷺ said, **"The best prayer** (that you may perform) **next to the obligatory prayer, is the night prayer."** Related by Muslim.

٣٩٤ ــ وَعَنْ أَبِي أَيُّوبَ الأَنْصَارِيِّ أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «الْوِتْرُ حَقٌّ عَلَى كُلِّ مُسْلِمٍ ، مَنْ أَحَبَّ أَنْ يُوتِرَ بِخَمْسٍ فَلْيَفْعَلْ ، وَمَنْ أَحَبَّ أَنْ يُوتِرَ بِثَلاَثٍ فَلْيَفْعَلْ ، وَمَنْ أَحَبَّ أَنْ يُوتِرَ بِوَاحِدَةٍ فَلْيَفْعَلْ». رَوَاهُ الأَرْبَعَةُ إِلاَّ التِّرْمِذِيَّ ، وَصَحَّحَهُ ابْنُ حِبَّانَ ، وَرَجَّحَ النَّسَائِيُّ وَقْفَهُ .

394. Abû Aiyûb Al-Ansârî (RAA) narrated that the Messenger of Allâh ﷺ said,**"*Witr* is a duty upon every Muslim. If anyone wishes to observe it by performing five *rak'ât*, he may do so, and if anyone wishes to observe it with three *rak'ât*, he may do so, and if he wishes to observe it with one *rak'ah*, he may do so."**Related by the four Imâms except for At-Tirmidhî. Ibn Hibbân graded it as Sahîh.

٣٩٥ ــ وَعَنْ عَلِيِّ بْنِ أَبِي طَالِبٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «لَيْسَ الْوِتْرُ بِحَتْمٍ كَهَيْئَةِ الْمَكْتُوبَةِ ، وَلَكِنْ سُنَّةٌ سَنَّهَا رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ». رَوَاهُ التِّرْمِذِيُّ وَحَسَّنَهُ ، وَالنَّسَائِيُّ وَالْحَاكِمُ وَصَحَّحَهُ .

395. 'Alî bin Abî Tâlib (RAA) narrated, 'The *Witr* Prayer is not as obligatory as the prescribed prayers, but it is a *Sunnah* of the Prophet ﷺ." Related by At-Tirmidhî who said that it was

139- The extra wording 'and day,' has been reported on the authority of 'Alî bin 'Abdullâh al-Azdî, who was reported to be a weak narrator by Ibn Ma'în. The narration about the night prayer is also mentioned in Al-Bukhârî and Muslim but without the phrase'and day'. Imâm As-San'ânî says that it could be that both are permissible, i.e. to pray (voluntary prayer) during the day sets of two or four *rak'ât*

Hasan. An-Nasâ'î and Al-Hâkim also related it, and the latter declared it Sahîh.

٣٩٦ ــ وَعَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ - رَضِيَ اللَّهُ عَنْهُمَا - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَامَ فِي شَهْرِ رَمَضَانَ ، ثُمَّ انْتَظَرُوهُ مِنَ الْقَابِلَةِ فَلَمْ يَخْرُجْ ، وَقَالَ : «إِنِّي خَشِيتُ أَنْ يُكْتَبَ عَلَيْكُمُ الْوِتْرُ». رَوَاهُ ابْنُ حِبَّانَ .

396. Jâbir bin 'Abdullâh (RAA) narrated, 'Allâh's Messenger ﷺ prayed the late night prayer *(Tahajjud)* in Ramadân one night. The following night, people waited for him to come for the night prayer (to join him), but he did not come out. He said to them, **"I was afraid that *witr* might become compulsory for you."** Related by Ibn Hibbân.[140]

٣٩٧ ــ وَعَنْ خَارِجَةَ بْنِ حُذَافَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِنَّ اللَّهَ أَمَدَّكُمْ بِصَلَاةٍ هِيَ خَيْرٌ لَكُمْ مِنْ حُمْرِ النَّعَمِ». قُلْنَا : وَمَا هِيَ يَا رَسُولَ اللَّهِ ؟ قَالَ : «الْوِتْرُ ، مَا بَيْنَ صَلَاةِ الْعِشَاءِ إِلَى طُلُوعِ الْفَجْرِ». رَوَاهُ الْخَمْسَةُ إِلاَّ النَّسَائِيَّ ، وَصَحَّحَهُ الْحَاكِمُ .

397. Khârijah bin Hudhâfah (RAA) narrated that 'Allâh's Messenger ﷺ said,**"Allâh, the Exalted has given you an extra prayer which is better for you than red camels** (i.e. the best breed of camels)." We then said, 'Which prayer is that O Messenger of Allâh?' He said, **"The *Witr* prayer. You may perform it** (any time) **between the *'Ishâ'* and *Fajr* prayer."** Related by the five Imâms except An-Nasâ'î. Al-Hâkim graded it as Sahîh.

٣٩٨ ــ وَرَوَى أَحْمَدُ عَنْ عَمْرِو بْنِ شُعَيْبٍ عَنْ أَبِيهِ عَنْ جَدِّهِ نَحْوَهُ .

398. Ahmad related a similar narration on the authority of 'Amro bin Shu'aib on the authority of his father who narrated it on the authority of his grandfather.

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140- The narration of Al-Bukhârî has the wording, 'The following night, people waited for the Prophet ﷺ to come out for the night prayer, but he didn't. In the morning, the people asked him about it. He replied, ﷺ that he was afraid that the night prayer might become compulsory on them.

٣٩٩ ـــ وَعَنْ عَبْدِ اللَّهِ بْنِ بُرَيْدَةَ - رَضِيَ اللَّهُ عَنْهُ - عَنْ أَبِيهِ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «الْوِتْرُ حَقٌّ ، فَمَنْ لَمْ يُوتِرْ فَلَيْسَ مِنَّا». أَخْرَجَهُ أَبُو دَاوُدَ بِسَنَدٍ لَيِّنٍ ، وَصَحَّحَهُ الْحَاكِمُ .

399. 'Abdullâh bin Buraidah (RAA) narrated on the authority of his father, 'Allâh's Messenger ﷺ said,**"Praying *witr* is a duty, so he who does not observe it is not one of us."** Related by Abû Dawûd with a weak chain of narrators[141] but Al-Hâkim graded it as Sahîh.[142]

٤٠٠ ـــ وَلَهُ شَاهِدٌ ضَعِيفٌ عَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - عِنْدَ أَحْمَدَ .

400. Imâm Ahmad reported a similar narration on the authority of Abû Hurairah but with an interrupted chain of narrators.

٤٠١ ـــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : مَا كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَزِيدُ فِي رَمَضَانَ وَلاَ فِي غَيْرِهِ عَلَى إِحْدَى عَشْرَةَ رَكْعَةً ، يُصَلِّي أَرْبَعًا ، فَلاَ تَسْأَلْ عَنْ حُسْنِهِنَّ وَطُولِهِنَّ ، ثُمَّ يُصَلِّي أَرْبَعًا ، فَلاَ تَسْأَلْ عَنْ حُسْنِهِنَّ وَطُولِهِنَّ، ثُمَّ يُصَلِّي ثَلاَثًا ، قَالَتْ عَائِشَةَ : قُلْتُ : يَا رَسُولَ اللَّهِ ، أَتَنَامُ قَبْلَ أَنْ تُوتِرَ ؟ قَالَ : «يَا عَائِشَةَ ، إِنَّ عَيْنَيَّ تَنَامَانِ وَلاَ يَنَامُ قَلْبِي». مُتَّفَقٌ عَلَيْهِ .

401. 'Â'ishah (RAA) narrated, "Allâh's Messenger ﷺ never exceeded praying eleven *rak'ât* (that was his voluntary night prayer) whether during Ramadân or otherwise. He would pray four *rak'ât*, and don't ask how perfect or how lengthy they were. Then he would pray four other *rak'ât* and do not ask how perfect they were or how lengthy they were. Then he would pray three *rak'ât*.

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141- The chain of narrators has 'Abdullâh bin 'Abdullâh Al-'Atakî, who was reported to be a weak narrator by Al-Bukhârî and Muslim.

142- Scholars said that praying *witr* is only a confirmed *Sunnah* (i.e. the *Sunnah* which the Prophet ﷺ did not leave performing whether traveling or at home) and is not obligatory as the Messenger of Allâh ﷺ said to Mu'âdh when he sent him to Yemen, **"Tell them that five prayers during the day and night have been prescribed by Allâh upon them."** Related by Al-Bukhârî and Muslim.

I asked, 'O Messenger of Allâh! Do you sleep before praying *witr*?' He replied, **"O ´Â'ishah, my eyes sleep but my heart remains awake."** Agreed upon.

٤٠٢ ـــ وَفِــي رِوَايَــةٍ لَهُمَا عَنْهَا : «كَانَ يُصَلِّي مِنَ اللَّيْلِ عَشْرَ رَكَعَاتٍ ، وَيُوتِرُ بِسَجْدَةٍ ، وَيَرْكَعُ رَكْعَتَي الْفَجْرِ ، فَتِلْكَ ثَلاَثَ عَشْرَةَ رَكْعَةً».

402. In another version by Al-Bukhârî and Muslim, "He used to pray ten *rak´ât* during the night, and then observe the *witr* with a single *rak´ah* before praying the two (voluntary) *rak´ât* before *Fajr*. This would make them thirteen *rak´ât* in all."

٤٠٣ ـــ وَعَــنْهَا قَالَــتْ : «كَانَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يُصَلِّي مِنَ اللَّيْلِ ثَلاَثَ عَشْرَةَ رَكْعَةً ، يُوتِرُ مِنْ ذَلِكَ بِخَمْسٍ ، لاَ يَجْلِسُ فِي شَيْءٍ إِلاَّ فِي آخِرِهَا».

403. In another narration by Muslim, ´Â'ishah (RAA): said, "Allâh's Messenger ﷺ would perform thirteen *rak´ât* during the night, and would make the *witr* with five of them. He would not sit (during those five *rak´ât*) except in the last one."

٤٠٤ ـــ وَعَنْهَا – رَضِيَ اللَّهُ عَنْهَا – قَالَتْ : «مِنْ كُلِّ اللَّيْلِ قَدْ أَوْتَرَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ ، وَانْتَهَى وِتْرُهُ إِلَى السَّحَرِ». مُتَّفَقٌ عَلَيْهِ .

404. In another narration ´Â'ishah (RAA) said, "Allâh's Messenger ﷺ prayed the *witr* prayer at all hours of the night, (extending from after the *´Ishâ'* prayer) up to the *Sahar* time[143] (meaning up to the last hour of the night up to the *Fajr* prayer).' Agreed upon.

٤٠٥ ـــ وَعَــنْ عَبْدِ اللهِ بْنِ عَمْرِو بْنِ الْعَاصِ – رَضِيَ اللَّهُ عَنْهُمَا – قَالَ : قَالَ لِي رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ : «يَا عَبْدَ اللهِ ، لا تَكُنْ مِثْلَ فُلاَنٍ ، كَانَ يَقُومُ مِنَ اللَّيْلِ ، فَتَرَكَ قِيَامَ اللَّيْلِ». مُتَّفَقٌ عَلَيْهِ .

405. ´Abdullâh bin ´Amro bin al-´Âas (RAA) narrated, 'The

143- The *Sahar* time refers to the final third of the night. The Prophet ﷺ prayed *witr* at all times of the night to show that it is permissible.

Messenger of Allâh ﷺ said to me, **"O 'Abdullâh, don't be like so and so who used to observe the night prayer and then he stopped it."** Agreed upon.

٤٠٦ ـــ وَعَـــنْ عَلـــيٍّ – رَضِـــيَ اللَّهُ عَنْهُ – قَالَ : قَالَ رَسُولُ اللَّه صَلَّى اللَّهُ عَلَيْه وَسَـــلَّمَ : «أَوْتِـــرُوا يَـــا أَهْلَ الْقُرْآنِ ؛ فَإِنَّ اللَّهَ وِتْرٌ يُحِبُّ الْوِتْرَ». رَوَاهُ الْخَمْسَةُ ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ .

406. 'Alî (RAA) narrated that Allâh's Messenger ﷺ said, **"'O you people [followers] of the Qur'ân, perform the *Witr* prayer for Allah is *Witr*** *(i.e. One)* **and He loves all that is *witr*** (i.e. odd in number)." Related by the five Imâms and Ibn Khuzaimah graded it as Sahîh.

٤٠٧ ـــ وَعَنِ ابْنِ عُمَرَ – رَضِيَ اللَّهُ عَنْهُمَا – أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «اجْعَلُوا آخِرَ صَلاَتِكُمْ بِاللَّيْلِ وِتْرًا». مُتَّفَقٌ عَلَيْهِ .

407. Ibn 'Umar (RAA) narrated that Allâh's Messenger ﷺ said, **"Perform the *Witr* prayer, as the last of your night prayers."** Agreed upon.

٤٠٨ ـــ وَعَنْ طَلْقِ بْنِ عَلِيٍّ قَالَ : سَمِعْتُ رَسُولَ اللَّه صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ : «لاَ وِتْرَانِ فِي لَيْلَةٍ». رَوَاهُ أَحْمَدُ ، وَالثَّلاَثَةُ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

408. Talq bin 'Alî, narrated, 'I heard the Messenger of Allâh ﷺ say, **"There are no two *witr* prayers to be performed in one night."** Related by Ahmad and the three Imâms and it was graded as Sahîh by Ibn Hibbân.

٤٠٩ ـــ وَعَنْ أُبَيِّ بْنِ كَعْبٍ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : «كَانَ رَسُولُ اللَّه صَلَّى اللَّهُ عَلَـــيْهِ وَسَـــلَّمَ يُوتِرُ بِـــ{سَبِّحِ اسْمَ رَبِّكَ الأَعْلَى} [الأعلى : ١] ، وَ {قُلْ يَا أَيُّهَا الْكَافِرُونَ} [الكافرون : ١] ، وَ {قُلْ هُوَ اللَّهُ أَحَدٌ} [الإخلاص : ١]. رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ وَالنَّسَائِيُّ . وَزَادَ : «وَلاَ يُسَلِّمُ إِلاَّ فِي آخِرِهِنَّ».

409. Ubay bin Ka'b (RAA) narrated that the Messenger of Allâh ﷺ used to recite, ***"Glorify the Name of Your Lord."***

***(sûrah al-A'lâ no. 87), "Say: O disbelievers" (sûrah al-Kâfirûn no. 109)*** and ***"Say, He is Allâh (the) One..." (sûrah al-Ikhlâs no. 112)***[144]**,"** in the *Witr* prayer.' Related by Ahmad, Abû Dawûd and An-Nasâ'î. An-Nasâ'î added in his narration,'He would say the *Taslîm* at the end of the three *rak'ât* (i.e. he would recite one *Tashahhud* in the final *rak'ah*)'

٤١٠ ـــ وَلأَبِي دَاوُدَ وَالتِّرْمِذِيِّ نَحْوُهُ عَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - ، وَفِيهِ : كُلُّ سُورَةٍ فِي رَكْعَةٍ ، وَفِي الأَخِيرَةِ : {قُلْ هُوَ اللَّهُ أَحَدٌ} [الإخلاص : ١] ، وَالْمُعَوِّذَتَيْنِ.

410. Abû Dawûd and At-Tirmidhî related a similar narration on the authority of 'Â'ishah (RAA), who said, 'He would ﷺ recite each *sûrah* in a *rak'ah*. In the last one he would recite, ***"Say, He is Allâh (the) One....."***, ***al-Falaq*** and ***an-Nâs*** (i.e. the last three *Sûras* in the Qur'ân).'

٤١١ ـــ وَعَــنْ أَبِــي سَعِيدٍ الْخُدْرِيِّ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «أَوْتِرُوا قَبْلَ أَنْ تُصْبِحُوا». رَوَاهُ مُسْلِمٌ .

411. Abû Sa'îd al-Khudrî (RAA) narrated that Allâh's Messenger ﷺ said, **"Observe the *Witr* prayer before the breaking of dawn."** Related by Muslim.

٤١٢ ـــ وَلابْنِ حِبَّانَ : «مَنْ أَدْرَكَ الصُّبْحَ ، وَلَمْ يُوتِرْ فَلاَ وِتْرَ لَهُ».

412. Ibn Hibbân related on the authority of Abû Sa'îd al-Khudrî (RAA), **"If any of you misses praying *witr* until the break of dawn, then he should not pray it."**

٤١٣ ـــ وَعَــنْهُ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ نَامَ عَنْ الوِتْرِ أَوْ نَسِيَهُ فَلْيُصَلِّ إِذَا أَصْبَحَ أَوْ ذَكَرَ» رَوَاهُ الْخَمْسَةُ إِلاَّ النَّسَائِيَّ.

413. Abû Sa'îd Al-Khudrî (RAA) narrated that Allâh's Messenger ﷺ said, **"If any of you sleeps and misses the *witr*, or if he forgets to pray it, then he should pray it when he**

144- He would ﷺ recite *al-A'lâ* in the first *rak'ah*, *al-Kâfirûn* in the second *rak'ah* and *al-Ikhlâs* in the last *rak'ah*.

**wakes up or when he remembers."**[145] Related by the five Imâms except for An-Nasâ'î.

٤١٤ ــ وَعَنْ جَابِرٍ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ خَافَ أَنْ لاَ يَقُــومَ مِنْ آخِرِ اللَّيْلِ فَلْيُوتِرْ أَوَّلَهُ ، وَمَنْ طَمِعَ أَنْ يَقُومَ آخِرَهُ فَلْيُوتِرْ آخِرَ اللَّيْلِ ، فَإِنَّ صَلاَةَ آخِرِ اللَّيْلِ مَشْهُودَةٌ ، وَذَلِكَ أَفْضَلُ». رَوَاهُ مُسْلِمٌ .

414. Jâbir (RAA) narrated that the Messenger of Allâh ﷺ said, **"Whoever of you fears that he will not be able to wake up during the latter part of the night, he should pray the *witr* during the early part of the night. And whoever of you believes that he will be able to wake during the latter part of the night, he should then delay the *witr* to the latter part of the night, as the prayer at that time is attended by the angels** (i.e. attended by the angels of the night and the angels of the day), **and that is better."** Related by Muslim.

٤١٥ ــ وَعَــنِ ابْــنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «إِذَا طَلَعَ الْفَجْرُ فَقَدْ ذَهَبَ وَقْتُ كُلِّ صَلاَةِ اللَّيْلِ وَالْوِتْرِ ، فَأَوْتِرُوا قَبْلَ طُلُوعِ الْفَجْرِ». رَوَاهُ التِّرْمِذِيُّ .

415. Ibn 'Umar (RAA) narrated that the Messenger of Allâh ﷺ said, **"When the dawn breaks, all the time** (permissible) **for the night prayer and the *witr* prayer has gone by then. So pray *witr* before the breaking of dawn."** Related by At-Tirmidhî.

٤١٦ ــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يُصَلِّي الضُّحَى أَرْبَعًا ، وَيَزِيدُ مَا شَاءَ اللَّهُ». رَوَاهُ مُسْلِمٌ .

416. Â'ishah (RAA) narrated, "Allâh's Messenger ﷺ would pray four *rak'ât* for ad-Duhâ[146] and he added to it(i.e. more *rak'*ât) whatever Allâh willed." Related by Muslim.

145- The majority of scholars are of the opinion that if one misses the *witr* prayer for any reason, it is recommended that he makes up for it.

146- The mid-morning voluntary prayer. Its time starts after the sun is well

٤١٧ ــ وَلَهُ عَنْهَا - رَضِيَ اللّهُ عَنْهَا - : «أَنَّهَا سُئِلَتْ : هَلْ كَانَ رَسُولُ اللّهِ صَلَّى اللّهُ عَلَيْهِ وَسَلَّمَ يُصَلِّي الضُّحَى ؟ قَالَتْ : لاَ ، إِلاَّ أَنْ يَجِيءَ مِنْ مَغِيبِهِ».

417. 'Â'ishah (RAA) was asked whether the Messenger of Allâh ﷺ used to pray *ad-Duhâ*, she replied, 'No, unless he was returning from a journey.' Related by Muslim.

٤١٨ ــ وَلَهُ عَنْهَا - رَضِيَ اللّهُ عَنْهَا - : «مَا رَأَيْتُ رَسُولَ اللّهِ صَلَّى اللّهُ عَلَيْهِ وَسَلَّمَ يُصَلِّي قَطُّ سُبْحَةَ الضُّحَى ، وَإِنِّي لأُسَبِّحُهَا».

418. 'Â'ishah (RAA) narrated, "I have never seen the Messenger of Allâh ﷺ offer the (voluntary) *Duhâ* prayer, but I prayed it."[147]

٤١٩ ــ وَعَنْ زَيْدِ بْنِ أَرْقَمَ - رَضِيَ اللّهُ عَنْهُ - أَنَّ رَسُولَ اللّهِ صَلَّى اللّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «صَلاَةُ الأَوَّابِينَ حِينَ تَرْمَضُ الْفِصَالُ». رَوَاهُ التِّرْمِذِيُّ .

419. Zaid bin Arqam (RAA) narrated, 'Allâh's Messenger ﷺ prayed the prayer of penitence when the young weaned camels feel the heat of the sun (i.e. feel that the desert sand is too hot)." Related by At-Tirmidhî.

٤٢٠ ــ وَعَنْ أَنَسٍ - رَضِيَ اللّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللّهِ صَلَّى اللّهُ عَلَيْهِ وَسَلَّمَ : « مَنْ صَلَّى الضُّحَى اثْنَتَيْ عَشْرَةَ رَكْعَةً بَنَى اللّهُ لَهُ قَصْرًا فِي الْجَنَّةِ » . رَوَاهُ التِّرْمِذِيُّ وَاسْتَغْرَبَهُ .

420. Anas Ibn Mâlik (RAA) narrated that Allâh's Messenger ﷺ said, **"Whoever prays twelve *rak'ât* for *Duhâ* prayer,**

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up in the sky until just before

147- It was proven in al-Bukhârî and Muslim, through *Sahîh(sound) Ahâdîth* that the messenger of Allâh ﷺ prayed *ad-Duhâ* prayer, but did not perform it in front of the companions, and he also may not have performed it every day for fear that his companions would follow his example. As for what 'Aishah (RAA) said, it was very rare that the Prophet ﷺ would be present at her house at the time of *ad-Duhâ*, so it is true that she has not seen him pray it, or maybe she meant that he did not pray it regularly. (Ibn Hajar in '*fath-ul-Bârî*'.)

**Allâh, the Almighty will build for him a palace in Paradise."** Related by At-Tirmidhî but with a weak chain of narrators.

٤٢١ ــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «دَخَلَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بَيْتِي ، فَصَلَّى الضُّحَى ثَمَانِي رَكَعَاتٍ». رَوَاهُ ابْنُ حِبَّانَ فِي صَحِيحِهِ .

421. Â'ishah (RAA) narrated,'The Messenger of Allâh ﷺ came into my house and prayed eight *rak'ât* for *a<u>d</u>-<u>D</u>u<u>h</u>â*.' Related by Ibn <u>H</u>ibbân in his *<u>S</u>a<u>h</u>î<u>h</u>*.

## بَــابُ صَــلاَةِ الْجَمَاعَــةِ وَالإِمَامَــةِ

## *Chapter X: Congregational Prayer and The Position of Imâm*

٤٢٢ ــ عَنْ عَبْدِ اللَّهِ بْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ قَــالَ : «صَــلاَةُ الْجَمَاعَةِ أَفْضَلُ مِنْ صَلاَةِ الْفَذِّ بِسَبْعٍ وَعِشْرِينَ دَرَجَةً». مُتَّفَقٌ عَلَيْهِ .

422. 'Abdullâh bin 'Umar (RAA) narrated that Allâh's Messenger ﷺ said, **"The prayer offered in congregation is twenty seven times more superior (in reward) to the prayer performed individually."** Agreed upon.

٤٢٣ ــ وَلَهُمَا عَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - : «بِخَمْسٍ وَعِشْرِينَ جُزْءاً».

423. Al-Bukhârî and Muslim related on the authority of Abû Hurairah, **"twenty five parts."**

٤٢٤ ــ وَكَذَا لِلْبُخَارِيِّ عَنْ أَبِي سَعِيدٍ ، وَقَالَ : «دَرَجَةً».

424. Al-Bukhârî transmitted on the authority of Abû Sa'îd, **"twenty five degrees."**

٤٢٥ ــ وَعَــنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «وَالَّذِي نَفْسِي بِيَدِهِ لَقَدْ هَمَمْتُ أَنْ آمُرَ بِحَطَبٍ فَيُحْتَطَبَ ، ثُمَّ آمُرَ بِالصَّلاَةِ

فَـيُؤْذَنَ لَهَا ، ثُمَّ آمُرَ رَجُلاً فَيَؤُمَّ النَّاسَ ، ثُمَّ أُخَالِفُ إِلَى رِجَالٍ لاَ يَشْهَدُونَ الصَّلاَةَ فَأُحَرِّقَ عَلَيْهِمْ بُيُوتَهُمْ ، وَالَّذِي نَفْسِي بِيَدِهِ لَوْ يَعْلَمُ أَحَدُهُمْ أَنَّهُ يَجِدُ عِرْقًا سَمِينًا ، أَوْ مِرْمَامَتَيْنِ حَسَنَتَيْنِ لَشَهِدَ الْعِشَاءَ». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِلْبُخَارِيِّ .

425. Abû Hurairah (RAA) narrated that Allâh's Messenger ﷺ said, **"By the One in Whose Hand my soul is, I was about to give orders for the collection of fire-wood (fuel) and then order someone to announce the *Adhân* for prayer to be called, and then ask someone to lead the prayer. Then I wanted to go from behind and burn the houses of the men, who do not attend the** (obligatory congregational) **prayer. By the One in Whose Hand my soul is, if any of them had known that he would get a bone covered with good meat or two** (small) **pieces of meat in between two ribs, he would have turned up for the *'Ishâ'* prayer."** Agreed upon, and this narration is from Al-Bukhârî.

٤٢٦ ــ وَعَنْهُ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «أَثْقَلُ الصَّلاَةِ عَلَى الْمُنَافِقِينَ : صَلاَةُ الْعِشَاءِ ، وَصَلاَةُ الْفَجْرِ ، وَلَوْ يَعْلَمُونَ مَا فِيهِمَا لأَتَوْهُمَا وَلَوْ حَبْوًا». مُتَّفَقٌ عَلَيْهِ .

426. Abû Hurairah (RAA) narrated that Allâh's Messenger ﷺ said, **"No prayer is harder for the hypocrites than the *Fajr* and the *'Ishâ'* prayers, and if they knew the reward** (for observing these two prayers in congregation), **they would certainly come to the mosque, even if they had to crawl."** Agreed upon.

٤٢٧ ــ وَعَنْهُ قَالَ : أَتَى النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ رَجُلٌ أَعْمَى فَقَالَ : يَا رَسُولَ اللَّهِ ، إِنَّهُ لَيْسَ لِي قَائِدٌ يَقُودُنِي إِلَى الْمَسْجِدِ ، فَرَخَّصَ لَهُ ، فَلَمَّا وَلَّى دَعَاهُ ، فَقَالَ : «هَلْ تَسْمَعُ النِّدَاءَ بِالصَّلاَةِ ؟» قَالَ : نَعَمْ . قَالَ : «فَأَجِبْ». رَوَاهُ مُسْلِمٌ .

427. Abû Hurairah (RAA) narrated that a blind man came to the Prophet ﷺ and said to him, 'O Messenger of Allâh, I have no one to guide me to the mosque.' (He was asking for the permission of the Prophet ﷺ to pray in his house). The Prophet ﷺ gave him

permission to pray at home, but when he turned to go back, the Prophet ﷺ called him and said, **"Do you hear the *Adhân*?"** The blind man said, 'Yes.' The Prophet ﷺ then said, **"Then respond to it** (by coming to the mosque)." Related by Muslim.

٤٢٨ ــ وَعَنِ ابْنِ عَبَّاسٍ عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «مَنْ سَمِعَ النِّدَاءَ فَلَمْ يَـأْتِ فَـلاَ صَلاَةَ لَهُ إلاَّ مِنْ عُذْرٍ». رَوَاهُ ابْنُ مَاجَهْ ، وَالدَّارَقُطْنِيُّ ، وَابْنُ حِبَّانَ ، وَالْحَاكِمُ ، وَإِسْنَادُهُ عَلَى شَرْطِ مُسْلِمٍ ، لَكِنْ رَجَّحَ بَعْضُهُمْ وَقْفَهُ .

428. Ibn 'Abbâs (RAA) narrated that the Messenger of Allâh ﷺ said, **"If anyone hears the *Adhân*, but does not come to the** (congregational) **prayer** (at the mosque)**, the prayer he offers will not be accepted unless he has an excuse."** Related by Ibn Mâjah, Ad-*Dâraqutnî*, Ibn Hibbân and Al-Hâkim.

٤٢٩ ــ وَعَنْ يَزِيدَ بْنِ الأَسْوَدِ أَنَّهُ صَلَّى مَعَ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ صَلاَةَ الصُّـبْحِ ، فَلَمَّا صَلَّى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، إِذَا هُوَ بِرَجُلَيْنِ لَمْ يُصَلِّيَا ، فَدَعَـا بِهِمَـا ، فَجِيءَ بِهِمَا تَرْعُدُ فَرَائِصُهُمَا ، فَقَالَ لَهُمَا : «مَا مَنَعَكُمَا أَنْ تُصَلِّيَا مَعَنَا ؟» قَالاَ : قَدْ صَلَّيْنَا فِي رِحَالِنَا . قَالَ : «فَلاَ تَفْعَلاَ ، إِذَا صَلَّيْتُمَا فِي رِحَالِكُمَا ثُمَّ أَدْرَكْـتُمَا الإِمَامَ ، وَلَمْ يُصَلِّ فَصَلِّيَا مَعَهُ ، فَإِنَّهَا لَكُمَا نَافِلَةٌ». رَوَاهُ أَحْمَدُ ، وَاللَّفْظُ لَهُ ، وَالثَّلاَثَةُ ، وَصَحَّحَهُ ابْنُ حِبَّانَ ، وَالتِّرْمِذِيُّ .

429. Yazîd bin Al-Aswad narrated that he prayed the *Fajr* prayer with the Prophet ﷺ. When the Messenger of Allâh ﷺ finished the prayer, he discovered that two men had not prayed with them, so he ordered for them to be brought to him, and they came shaking with fear. The Messenger of Allâh ﷺ said to them, **"What prevented you from praying with us?"** They said, 'We prayed in our resting places.' The Messenger of Allâh ﷺ then said to them, **"If you pray in your resting places and then come upon an Imâm who has not yet prayed, then pray with him and it will be considered as a voluntary prayer *(nâfilah)* for you."** Related by Ahmad and the wording is his. It was also transmitted by the three Imâms and It was graded as *Sahîh* by Ibn Hibbân and At-Tirmidhî.

٤٣٠ ـــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِنَّمَا جُعِلَ الإِمَامُ لِيُؤْتَمَّ بِهِ ، فَإِذَا كَبَّرَ فَكَبِّرُوا ، وَلاَ تُكَبِّرُوا حَتَّى يُكَبِّرَ ، وَإِذَا رَكَعَ فَارْكَعُوا ، وَلاَ تَرْكَعُوا حَتَّى يَرْكَعَ ، وَإِذَا قَالَ : سَمِعَ اللَّهُ لِمَنْ حَمِدَهُ . فَقُولُوا : اللَّهُمَّ رَبَّنَا لَكَ الْحَمْدُ . وَإِذَا سَجَدَ فَاسْجُدُوا ، وَلاَ تَسْجُدُوا حَتَّى يَسْجُدَ ، وَإِذَا صَلَّى قَائِمًا فَصَلُّوا قِيَامًا ، وَإِذَا صَلَّى قَاعِدًا فَصَلُّوا قُعُودًا أَجْمَعِينَ». رَوَاهُ أَبُو دَاوُدَ ، وَهَذَا لَفْظُهُ ، وَأَصْلُهُ فِي الصَّحِيحَيْنِ .

430. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"The Imam is only appointed** (to lead the prayer) **to be followed. So, when he says the *Takbîr (Allâhu Akbar)*, then say the *Takbîr*, and do not say the *Takbîr* until he says *(Allâhu Akbar)*. When he goes into *rukû,´* then make *rukû´*** (after him), **and do not go into *rukû´* until he goes into *rukû´*. When he says "*Sami'al Lâhu liman hamidah* (Allâh hears those who send praises to Him)," say "*Rabbanâ wa lakal-hamd* (O Allâh, our Lord! All praises are for You)." When he goes into *sujûd* (prostration) make *sujûd*** (after him), **and do not go into *sujûd* until he goes into *sujûd*. When he prays standing, pray standing, and when he prays sitting, then all of you should pray sitting."** Related by Abû Dawûd and the wording is his. This narration is also related by Al-Bukhârî and Muslim.

٤٣١ ـــ وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ رَأَى فِي أَصْحَابِهِ تَأَخُّرًا ، فَقَالَ : «تَقَدَّمُوا فَأْتَمُّوا بِي ، وَلْيَأْتَمَّ بِكُمْ مَنْ بَعْدَكُمْ». رَوَاهُ مُسْلِمٌ .

431. Abû Sa´îd Al-Khudrî (RAA) narrated that Allâh's Messenger ﷺ saw a tendency among some of his companions to pray in the back rows. Thereupon he said to them, **"Come forward and follow me** (in prayer) **and let those behind** (in the back rows) **follow you** (as they will know my actions through your actions even if they cannot see me directly)."[148]

148- This means that those who cannot see or hear the *Imâm*, for being a few

٤٣٢ ـــ وَعَنْ زَيْدِ بْنِ ثَابِتٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : احْتَجَرَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ حُجْرَةً مُخَصَّفَةً ، فَصَلَّى فِيهَا ، فَتَتَبَّعَ إِلَيْهِ رِجَالٌ ، وَجَاءُوا يُصَلُّونَ بِصَلاتِهِ - الْحَدِيثَ ، وَفِيهِ: «أَفْضَلُ صَلاةِ الْمَرْءِ فِي بَيْتِهِ إِلا الْمَكْتُوبَةَ». مُتَّفَقٌ عَلَيْهِ .

432. Zaid bin Thâbit (RAA) narrated, 'The Messenger of Allâh ﷺ made a small room with matting and prayed there (for a few nights during the month of Ramadân). Some of his companions came and started to pray behind him...(the *Hadîth*..).'[149] This narration has, **"the best prayer that a person performs is the one he prays in his house, except for the obligatory one."** Agreed upon.

٤٣٣ ـــ وعن جَابِرِ بْنِ عَبْدِ اللَّهِ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : صَلَّى مُعَاذٌ بِأَصْحَابِهِ الْعِشَاءَ ، فَطَوَّلَ عَلَيْهِمْ ، فَقَالَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «أَتُرِيدُ أَنْ تَكُونَ يَا مُعَاذُ فَتَّانًا ؟ إِذَا أَمَمْتَ النَّاسَ فَاقْرَأْ بِـ{الشَّمْسِ وَضُحَاهَا}، وَ{سَبِّحِ اسْمَ رَبِّكَ الأَعْلَى}، وَ {اقْرَأْ بِاسْمِ رَبِّكَ}، وَ{وَاللَّيْلِ إِذَا يَغْشَى}». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِمُسْلِمٍ .

433. Jâbir Ibn ´Abdullâh (RAA) narrated, 'Mu´âdh bin Jabal lead some of his companions in the *'Ishâ'* prayer, but he made it too lengthy (recited long *Sûras*). The Prophet ﷺ then said to him, **"Do you want to draw people into *fitnah* (tribulation, affliction)Mu´âdh? When you lead people in prayer, recite *"And by the sun and its brightness"* (*sûrah ash-Shams no. 91*),** and ***"Glorify the name of your Lord"* (*sûrah al-A'lâ no. 87*),** and ***"Read! in the Name of your Lord, Who has created.."* (*sûrah al-´Alaq no. 96*)** and ***"By the night as it spreads"* (*sûrah al-Lail no. 92*).** Agreed upon, and the wording is from Muslim.

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rows behind, can follow those in front of them, those in the third row follow the ones in the second and so on.

149- The rest of this *Hadîth* is, "he prayed there for a few nights, and so some of his companions came and prayed behind him. When he came to know about it, he stopped coming out (to pray in that room). In the morning, he went out to them and said, **"I know what you have been doing, but you should pray in your houses, as the best prayer that a person performs is the one he prays in his house, except for the obligatory one."** Related by Al-Bukhârî.

٤٣٤ ــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - فِي قِصَّةِ صَلَاةِ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بِالنَّاسِ ، وَهُوَ مَرِيضٌ - قَالَتْ : «فَجَاءَ حَتَّى جَلَسَ عَنْ يَسَارِ أَبِي بَكْرٍ ، فَكَانَ يُصَلِّي بِالنَّاسِ جَالِسًا وَأَبُو بَكْرٍ قَائِمًا ، يَقْتَدِي أَبُو بَكْرٍ بِصَلَاةِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، وَيَقْتَدِي النَّاسُ بِصَلَاةِ أَبِي بَكْرٍ». مُتَّفَقٌ عَلَيْهِ .

434. ´Â'ishah (RAA) narrated concerning the story when Allâh's Messenger ﷺ lead the people in prayer when he was sick, she said, 'He came out and sat on the left of Abû Bakr (RAA), and led the people in prayer while he was sitting down and Abû Bakr was standing up. Abû Bakr was following the prayer of the Prophet ﷺ and people were following the prayer of Abû Bakr." Agreed upon.

٤٣٥ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «إِذَا أَمَّ أَحَدُكُمُ النَّاسَ فَلْيُخَفِّفْ ، فَإِنَّ فِيهِمُ الصَّغِيرَ وَالْكَبِيرَ وَالضَّعِيفَ وَذَا الْحَاجَةِ ، فَإِذَا صَلَّى وَحْدَهُ فَلْيُصَلِّ كَيْفَ شَاءَ». مُتَّفَقٌ عَلَيْهِ .

435. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"If any of you leads the people in prayer, he should shorten it** (i.e. keep his recital of the Qur'ân brief), **for amongst them are the young, the aged, the weak, and the ones who have other needs to attend to** (after prayer). **If one prays by himself, one may prolong (the prayer) as much as he wishes."** Agreed upon.

٤٣٦ ــ وَعَنْ عَمْرِو بْنِ سَلَمَةَ قَالَ : قَالَ أَبِي : جِئْتُكُمْ مِنْ عِنْدِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ حَقًّا ، فَقَالَ : «إِذَا حَضَرَتِ الصَّلَاةُ فَلْيُؤَذِّنْ أَحَدُكُمْ ، وَلْيَؤُمَّكُمْ أَكْثَرُكُمْ قُرْآنًا» ، قَالَ : فَنَظَرُوا فَلَمْ يَكُنْ أَحَدٌ أَكْثَرَ مِنِّي قُرْآنًا ، فَقَدَّمُونِي ، وَأَنَا ابْنُ سِتٍّ أَوْ سَبْعِ سِنِينَ . رَوَاهُ الْبُخَارِيُّ ، وَأَبُو دَاوُدَ وَالنَّسَائِيُّ .

436. ´Amro bin Salamah (RAA) narrated, 'My father said: I have come to you from the one who is truly the Messenger of Allâh.' The Messenger of Allâh ﷺ said to them, **"When it is time for prayer, then one of you should say the *Adhân* for pra-**

**yer, and let the one amongst you who is the most versed in the Qur'ân lead you in the prayer."** 'Amro said, 'So, they looked for such a person and found none who was more versed in the Qur'ân than me, therefore they made me their Imâm in prayer and at that time I was only six or seven years old.' Related by Al-Bukhârî, Abû Dawûd and An-Nasâ'î.

٤٣٧ ــ وَعَنِ ابْنِ مَسْعُودٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «يَؤُمُّ الْقَوْمَ أَقْرَؤُهُمْ لِكِتَابِ اللَّهِ - تَعَالَى - ، فَإِنْ كَانُوا فِي الْقِرَاءَةِ سَوَاءً فَأَعْلَمُهُمْ بِالسُّنَّةِ ، فَإِنْ كَانُوا فِي السُّنَّةِ سَوَاءً فَأَقْدَمُهُمْ هِجْرَةً ، فَإِنْ كَانُوا فِي الْهِجْرَةِ سَوَاءً فَأَقْدَمُهُمْ سِلْمًا» - وَفِي رِوَايَةٍ : سِنًّا - «وَلاَ يَؤُمَّنَّ الرَّجُلُ الرَّجُلَ فِي سُلْطَانِهِ ، وَلاَ يَقْعُدُ فِي بَيْتِهِ عَلَى تَكْرِمَتِهِ إِلاَّ بِإِذْنِهِ». رَوَاهُ مُسْلِمٌ .

437. Ibn Mas'ûd (RAA) narrated that the Messenger of Allâh ﷺ said, **"The one who should lead the people in prayer** (who has the most right) **is the one who is most versed in the Book of Allâh. If they are equal in their recital, then the one who is most knowledgeable in the *Sunnah*. If they are equal in the *Sunnah*, then it is the one who migrated first. If they are equal in that** (i.e. they all migrated at the same time), **then the earliest to embrace Islâm** –in another narration- **the eldest. No man should be an Imâm for another man in prayer if the other holds authority** (i.e. in a place where this latter has authority in any capacity over the other), **or occupy his place of honor in his house without his permission."** Related by Muslim

٤٣٨ ــ وَلاِبْنِ مَاجَهْ مِنْ حَدِيثِ جَابِرٍ - رَضِيَ اللَّهُ عَنْهُ - : «وَلاَ تَؤُمَّنَّ امْرَأَةٌ رَجُلاً ، وَلاَ أَعْرَابِيٌّ مُهَاجِرًا ، وَلاَ فَاجِرٌ مُؤْمِنًا». وَإِسْنَادُهُ وَاهٍ .

438. Jâbir (RAA) narrated that the Messenger of Allâh ﷺ said, **"A woman should never lead a man in prayer, neither a desert Arab should lead an emigrant nor an immoral man should lead a pious man."** Related by Ibn Mâjah, but with an extremely weak chain of narrators.

٤٣٩ ــ وَعَنْ أَنَسٍ – رَضِيَ اللَّهُ عَنْهُ – أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «رُصُّوا صُفُوفَكُمْ ، وَقَارِبُوا بَيْنَهَا ، وَحَاذُوا بِالأَعْنَاقِ». رَوَاهُ أَبُو دَاوُدَ ، وَالنَّسَائِيُّ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

439. Anas (RAA) narrated that the Messenger of Allâh ﷺ said **"Line up close together in rows for prayer, and bring your rows near one another and stand neck to neck."** Rela-ted by Abû Dawûd and An-Nasâ'î, and Ibn Hibbân graded it as Sahîh.

٤٤٠ ــ وَعَنْ أَبِي هُرَيْرَةَ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «خَيْرُ صُفُوفِ الرِّجَالِ أَوَّلُهَا ، وَشَرُّهَا آخِرُهَا ، وَخَيْرُ صُفُوفِ النِّسَاءِ آخِرُهَا ، وَشَرُّهَا أَوَّلُهَا». رَوَاهُ مُسْلِمٌ .

440. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"The best rows for the men are the first rows and the worst rows for them are the last rows. The best rows for the women are the last rows and the worst for them are the front rows."** Related by Muslim.

٤٤١ ــ وَعَنِ ابْنِ عَبَّاسٍ – رَضِيَ اللَّهُ عَنْهُمَا – قَالَ : «صَلَّيْتُ مَعَ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ذَاتَ لَيْلَةٍ ، فَقُمْتُ عَنْ يَسَارِهِ ، فَأَخَذَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بِرَأْسِي مِنْ وَرَائِي فَجَعَلَنِي عن يَمِينِهِ». مُتَّفَقٌ عَلَيْهِ .

441. Ibn ´Abbâs (RAA) narrated, 'One night I prayed with the Messenger of Allâh ﷺ, and I stood on his left side. He caught my head from behind and drew me to his right side." Agreed upon.

٤٤٢ ــ وعــن أَنَسٍ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : «صَلَّى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقُمْتُ أَنَا وَيَتِيمٌ خَلْفَهُ ، وَأُمُّ سُلَيْمٍ خَلْفَنَا». مُتَّفَقٌ عَلَيْهِ ، واللَّفْظُ لِلْبُخَارِيِّ .

442. Anas (RAA) narrated, 'One night an orphan and I prayed behind the Prophet ﷺ, and Um Sulaim (his mother) was standing behind us (forming a row by herself).' Agreed upon. The wording is from Al-Bukhârî.

٤٤٣ ــ وَعَــنْ أَبِي بَكْرَةَ - رَضِيَ اللَّهُ عَنْهُ - ، أَنَّهُ انْتَهَى إِلَى النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، وَهُوَ رَاكِعٌ ، فَرَكَعَ قَبْلَ أَنْ يَصِلَ إِلَى الصَّفِّ ، فَقَالَ لَهُ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ : «زَادَكَ اللَّهُ حِرْصًا وَلاَ تَعُدْ». رَوَاهُ الْبُخَارِيُّ ، وَزَادَ أَبُو دَاوُدَ فِيهِ : فَرَكَعَ دُونَ الصَّفِّ ، ثُمَّ مَشَى إِلَى الصَّفِّ .

443. Abû Bakrah (RAA) narrated that he reached the Prophet ﷺ in the mosque while he was performing *rukû´* (bowing) in prayer, so Abû Bakrah bowed too before he joined the row. He mentioned this to the Prophet ﷺ and he said to him, **"May Allâh increase your love for goodness. But do not repeat that act again** (bowing before joining the row)."[150] Related by Al-Bukhârî. Abû Dawûd added to this narration, 'He bowed before he reached the row and then walked (bowing) to the row.'

٤٤٤ ــ وَعَــنْ وَابِصَــةَ بْــنِ مَعْبَدٍ - رَضِيَ اللَّهُ عَنْهُ - «أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَــيْهِ وَسَــلَّمَ رَأَى رَجُــلاً يُصَلِّي خَلْفَ الصَّفِّ وَحْدَهُ ، فَأَمَرَهُ أَنْ يُعِيدَ الصَّلاَةَ». رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَالتِّرْمِذِيُّ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

444. Wâbisah bin Ma´bad (RAA) narrated that the Messenger of Allâh ﷺ saw a man praying alone behind the row, so he ordered him to repeat the prayer. Related by Ahmad, Abû Dawûd, At-Tirmidhî and it was rendered *Sahîh* by Ibn Hibbân.

٤٤٥ ــ وَلَــهُ عَــنْ طَلْقِ بْنِ عَلِيٍّ - رَضِيَ اللَّهُ عَنْهُ - : «لاَ صَلاَةَ لِمُنْفَرِدٍ خَلْفَ الصَّفِّ». وَزَادَ الطَّبَرَانِيُّ فِي حَدِيثِ وَابِصَةَ :«أَلاَ دَخَلْتَ مَعَهُمْ أَوِ اجْتَرَرْتَ رَجُلاً ؟»

445. Talq bin ´Alî (RAA) narrated that the Messenger of Allâh ﷺ said, **"Nobody should pray alone behind the row."** Related by Ibn Hibbân. At-Tabarânî added in the *Hadîth* of Wâbisah, **"Couldn't you have joined them or pulled a man to be with you and form a row?**

150- One should not join the prayer until he reaches the row.

٤٤٦ ــ وَعَــنْ أَبِــي هُرَيْــرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ : «إِذَا سَــمِعْتُمُ الإِقَامَةَ فَامْشُوا إِلَى الصَّلاَةِ وَعَلَيْكُمُ السَّكِينَةُ وَالْوَقَارُ ، وَلاَ تُسْرِعُوا ، فَمَا أَدْرَكْتُمْ فَصَلُّوا ، وَمَا فَاتَكُمْ فَأَتِمُّوا» مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِلْبُخَارِيِّ .

446. Abû Hurairah (RAA) narrated that the Prophet ﷺ said, **"When you hear the *Iqâmah*, proceed to the prayer with calmness and dignity and do not rush. Pray what you can (with the congregation) and complete what you miss."** Agreed upon and the wording is from Al-Bukhârî.

٤٤٧ ــ وعــن أُبَيِّ بْنِ كَعْبٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَــيْهِ وَسَــلَّمَ : «صَــلاَةُ الرَّجُلِ مَعَ الرَّجُلِ أَزْكَى مِنْ صَلاَتِهِ وَحْدَهُ ، وَصَلاَتُهُ مَعَ الرَّجُلَــيْنِ أَزْكَــى مِنْ صَلاَتِهِ مَعَ الرَّجُلِ ، وَمَا كَانَ أَكْثَرَ فَهُوَ أَحَبُّ إِلَى اللَّهِ - عَزَّ وَجَلَّ -». رَوَاهُ أَبُو دَاوُدَ ، وَالنَّسَائِيُّ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

447. Ubay bin Ka'b (RAA) narrated that the Messenger of Allâh ﷺ said,**"A man's prayer performed along with another man** (i.e. in congregation) **is better than his prayer on his own, and his prayer with two men is better than his prayer along with** (just) **another man. But if there are more people it would be more pleasing to Allâh, the Almighty."** Related by Abû Dawûd and An-Nasâ'î and Ibn Hibbân graded it as *Sahîh*.

٤٤٨ ــ وعن أُمِّ وَرَقَةَ - رَضِيَ اللَّهُ عَنْهَا - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَمَرَهَا أَنْ تَؤُمَّ أَهْلَ دَارِهَا». رَوَاهُ أَبُو دَاوُدَ ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ .

448. Umm Waraqah (RAA) narrated that the Messenger of Allâh ﷺ instructed her to lead the women of her household (in the obligatory prayer. Related by Abû Dawûd and Ibn Khuzaimah graded it as *Sahîh*.

٤٤٩ ــ وَعَنْ أَنَسٍ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ اسْتَخْلَفَ ابْنَ أُمِّ مَكْتُومٍ ، يَؤُمُّ النَّاسَ ، وَهُوَ أَعْمَى». رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ .

449. Anas (RAA): 'The Messenger of Allâh ﷺ appointed Ibn

Umm Maktûm to lead the people in prayer and he was blind.' Related by Ahmad and Abû Dawûd.

٤٥٠ ـــ وَنَحْوُهُ لابْنِ حِبَّانَ عَنْ عَائِشَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهَا - .

450. Ibn Hibbân narrated a similar narration on the authority of 'Â'ishah (RAA).

٤٥١ ـــ وَعَنْ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللّٰه صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «صَلُّوا عَلَى مَنْ قَالَ لاَ إِلَهَ إِلاَّ اللَّهُ ، وَصَلُّوا خَلْفَ مَنْ قَالَ لاَ إِلَهَ إِلاَّ اللَّهُ». رَوَاهُ الدَّارَقُطْنِيُّ بِإِسْنَادٍ ضَعِيفٍ .

451. Ibn 'Umar (RAA) narrated that the Messenger of Allâh ﷺ said, **"Offer the funeral prayer for the one who says** (i.e. believes) **"There is none worthy of worship but Allâh," and pray behind** (take him as your Imâm) **the one who says** (believes), **"There is none worthy of worship but Allâh."** Related by Ad-Dâraqutnî with a weak chain of narrators.

٤٥٢ ـــ وَعَنْ عَلِيِّ بْنِ أَبِي طَالِبٍ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ رَسُولُ اللّٰه صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا أَتَى أَحَدُكُمُ الصَّلاَةَ وَالإِمَامُ عَلَى حَالٍ فَلْيَصْنَعْ كَمَا يَصْنَعُ الإِمَامُ». رَوَاهُ التِّرْمِذِيُّ بِإِسْنَادٍ ضَعِيفٍ .

452. 'Alî (RAA) narrated that the Messenger of Allâh ﷺ said, **"When any of you comes to the prayer and the Imâm is in a certain position** (in prayer) **he must do what the *Imâm* is doing."** Related by At-Tirmidhî with a weak chain of narrators, (its chain of transmitters is also disconnected).

## بَابُ صَلاَةِ الْمُسَافِرِ وَالْمَرِيضِ

## *Chapter XI: The Prayer of a Traveler and the Prayer of the ill.*

٤٥٣ ـــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «أَوَّلُ مَا فُرِضَتِ الصَّلاَةُ رَكْعَتَيْنِ ، فَأُقِرَّتْ صَلاَةُ السَّفَرِ ، وَأُتِمَّتْ صَلاَةُ الْحَضَرِ». مُتَّفَقٌ عَلَيْهِ .

453. 'Â'ishah (RAA) narrated, 'When prayer was first enjoined

by Allâh, the Almighty, it was only two *rak´ât* (in every prayer, whether in residence or on journeys). The prayer of the traveler was later confirmed as being two *rak´ât* while two more *rak´ât* were added to (the original prayer) for the one who is resident (except for the *Maghrib* and the *Fajr* prayers).' Agreed upon.

٤٥٤ ـــ وَلِلْبُخَارِيِّ : «ثُمَّ هَاجَرَ ، فَفُرِضَتْ أَرْبَعًا ، وَأُقِرَّتْ صَلاَةُ السَّفَرِ عَلَى الأَوَّلِ».

454. In the narration of Al-Bukhârî, 'Then he emigrated ﷺ, so prayer was then prescribed as four *rak´ât*, while the prayer of the traveler was left as it was originally prescribed (i.e. two *rak´ât*).'

٤٥٥ ـــ زَادَ أَحْمَدُ : «إِلاَّ الْمَغْرِبَ فَإِنَّهَا وِتْرُ النَّهَارِ ، وَإِلاَّ الصُّبْحَ ، فَإِنَّهَا تُطَوَّلُ فِيهَا الْقِرَاءَةُ».

455. Imâm Ahmad added in his narration, 'except for the *Maghrib* prayer as it is the *witr* of the daytime and the dawn prayer due to its lengthy Qur'ânic recital.'

٤٥٦ ـــ وَعَنْ عَائِشَةَ – رَضِيَ اللَّهُ عَنْهَا – : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ يَقْصُرُ فِي السَّفَرِ ، وَيُتِمُّ وَيَصُومُ وَيُفْطِرُ». رَوَاهُ الدَّارَقُطْنِيُّ ، وَرُوَاتُهُ ثِقَاتٌ ، إِلاَّ أَنَّهُ مَعْلُولٌ ، وَالْمَحْفُوظُ عَنْ عَائِشَةَ مِنْ فِعْلِهَا ، وَقَالَتْ : «إِنَّهُ لاَ يَشُقُّ عَلَيَّ». أَخْرَجَهُ الْبَيْهَقِيُّ .

456. ´Â'ishah (RAA) narrated, 'The Messenger of Allâh ﷺ used to shorten the prayer in his travels and also used to offer the full prayer. He also used to fast or not fast during his journeys." Related by Imâm Ad-Dâraqutnî.[151] This *Hadîth* has a defect, as it is known that it is ´Â'ishah (RAA), who used to do this, and she

151- The narrators of this *Hadîth* are trustworthy,but it has a defect (*shâdh*), as it is only attributed to ´Â'ishah (RAA) and not to the Prophet ﷺ, as she is describing what she used to do, and not what the Prophet ﷺ used to do. There is a consensus among the scholars that the Prophet ﷺ never offered more than two *rak´ât on* a journey, and all the trustworthy narrators agreed on this (see for example *'Sahîh Al-Bukhârî'*).

said, 'It is not difficult for me (i.e. to pray the full prayer and fast during journeys). Related by Al-Baihaqî.

٤٥٧ ــ وَعَنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِنَّ اللَّهَ - تَعَالَى - يُحِبُّ أَنْ تُؤْتَى رُخَصُهُ كَمَا يَكْرَهُ أَنْ تُؤْتَى مَعْصِيَتُهُ». رَوَاهُ أَحْمَدُ ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ ، وَابْنُ حِبَّانَ .

وفي رِوَايَةٍ : «كَمَا يُحِبُّ أَنْ تُؤْتَى عَزَائِمُهُ».

457. Ibn 'Umar (RAA) narrated that the Messenger of Allâh ﷺ said, **"Allâh, the Almighty likes people to make use of His concessions as much as He dislikes people to commit an act of disobedience to Allâh."** Related by Ahmad. Ibn Khuzaimah and Ibn Hibbân graded it as *Sahîh*. In another narration, **"as much as He likes people to observe the duties He has made obligatory."**

٤٥٨ ــ وَعَنْ أَنَسٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِذَا خَرَجَ مَسِيرَةَ ثَلَاثَةِ أَمْيَالٍ ، أَوْ فَرَاسِخَ ، صَلَّى رَكْعَتَيْنِ». رَوَاهُ مُسْلِمٌ .

458. Anas (RAA) narrated, 'When the Messenger of Allâh ﷺ traveled for a distance of three miles or (*Farsakhas*[152]) he would pray two *rak'ât* (i.e. shorten the prayer which was originally four *rak'ât*).' Related by Muslim.

٤٥٩ ــ وَعَنْهُ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «خَرَجْنَا مَعَ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ مِنَ الْمَدِينَةِ إِلَى مَكَّةَ ، فَكَانَ يُصَلِّي رَكْعَتَيْنِ رَكْعَتَيْنِ حَتَّى رَجَعْنَا إِلَى الْمَدِينَةِ». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِلْبُخَارِيِّ .

459. Anas (RAA) narrated, 'We traveled with the Prophet ﷺ from Madînah to Makkah and he used to pray two *rak'ât* (for every prayer) until we returned to Madînah." Agreed upon, and the wording is from Al-Bukhârî.

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152- A *Farsakh* is a Persian measure, which is equal to three miles. The narrator was in doubt whether he said miles or *Farsakhs*.

٤٦٠ ـ وَعَنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ: «أَقَامَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ تِسْعَةَ عَشَرَ يَوْمًا يَقْصُرُ». وَفِي لَفْظٍ: «بِمَكَّةَ تِسْعَةَ عَشَرَ يَوْمًا». رَوَاهُ الْبُخَارِيُّ، وَفِي رِوَايَةٍ لِأَبِي دَاوُدَ: «سَبْعَ عَشْرَةَ». وَفِي أُخْرَى: «خَمْسَ عَشْرَةَ».

460. Ibn ´Abbâs (RAA) narrated, 'The Messenger of Allâh ﷺ once stayed for nineteen days shortening the prayer.' In another narration, '(stayed) at Makkah for nineteen days.' Related by Al-Bukhârî. In a narration by Abû Dawûd, 'seventeen', and in another narration, 'fifteen.'

٤٦١ ـ وَلَهُ عَنْ عِمْرَانَ بْنِ حُصَيْنٍ - رَضِيَ اللَّهُ عَنْهُ -: «ثَمَانِيَ عَشْرَةَ».

461. Abû Dawûd also related, on the authority of ´Imrân bin Husain (RAA), 'for eighteen days.'

٤٦٢ ـ وَلَهُ عَنْ جَابِرٍ - رَضِيَ اللَّهُ عَنْهُ -: «أَقَامَ بِتَبُوكَ عِشْرِينَ يَوْمًا يَقْصُرُ الصَّلَاةَ». وَرُوَاتُهُ ثِقَاتٌ، إِلَّا أَنَّهُ اخْتُلِفَ فِي وَصْلِهِ.

462. Jâbir bin ´Abdullâh (RAA) narrated, 'The Messenger of Allâh ﷺ stayed at Tabûk for twenty days, he shortened the prayer (during his stay).' Related by Abû Dawûd.

٤٦٣ ـ وَعَنْ أَنَسٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ: «كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِذَا ارْتَحَلَ فِي سَفَرِهِ قَبْلَ أَنْ تَزِيغَ الشَّمْسُ أَخَّرَ الظُّهْرَ إِلَى وَقْتِ الْعَصْرِ، ثُمَّ نَزَلَ فَجَمَعَ بَيْنَهُمَا، فَإِنْ زَاغَتِ الشَّمْسُ قَبْلَ أَنْ يَرْتَحِلَ صَلَّى الظُّهْرَ ثُمَّ رَكِبَ». مُتَّفَقٌ عَلَيْهِ، وَفِي رِوَايَةٍ لِلْحَاكِمِ فِي الْأَرْبَعِينَ بِإِسْنَادٍ صَحِيحٍ: «صَلَّى الظُّهْرَ وَالْعَصْرَ ثُمَّ رَكِبَ». وَلِأَبِي نُعَيْمٍ فِي مُسْتَخْرَجِ مُسْلِمٍ: «كَانَ إِذَا كَانَ فِي سَفَرٍ، فَزَالَتِ الشَّمْسُ صَلَّى الظُّهْرَ وَالْعَصْرَ جَمِيعًا، ثُمَّ ارْتَحَلَ».

463. Anas (RAA) narrated, 'Whenever the Messenger of Allâh ﷺ started on a journey before the sun had passed its meridian (before noon), he would delay the *Dhuhr* prayer till the time of *´Asr* and then combine them together, and if the sun declined (passed the meridian) before he traveled, he used to pray the *Dhuhr* prayer and then ride (for the journey).' Agreed upon. In a narra-

tion by Al-Hâkim with a sound chain of narrators, 'He ﷺ prayed *Dhuhr* and *'Asr* (combined) and then rode (for his journey).' Abû Nu'aim related, 'Whenever he was on a journey, ﷺ and the sun had declined, he would pray *Dhuhr* and *'Asr* combined and then proceed on his journey.'

٤٦٤ ــ وَعَنْ مُعَاذ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «خَرَجْنَا مَعَ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فِي غَزْوَةِ تَبُوكَ ، فَكَانَ يُصَلِّي الظُّهْرَ وَالْعَصْرَ جَمِيعًا ، وَالْمَغْرِبَ وَالْعِشَاءَ جَمِيعًا». رَوَاهُ مُسْلِمٌ .

464. Mu'âdh (RAA) narrated, 'We set out with the Prophet ﷺ on the expedition of Tabûk, and he combined *Dhuhr* and *'Asr* together, and combined the *Maghrib and Ishâ'* prayers.' Related by Muslim.

٤٦٥ ــ وَعَنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ تَقْصُرُوا الصَّلاَةَ فِي أَقَلَّ مِنْ أَرْبَعَةِ بُرُدٍ ، مِنْ مَكَّةَ إِلَى عُسْفَانَ». رَوَاهُ الدَّارَقُطْنِيُّ بِإِسْنَادٍ ضَعِيفٍ ، وَالصَّحِيحُ أَنَّهُ مَوْقُوفٌ . كَذَا أَخْرَجَهُ ابْنُ خُزَيْمَةَ .

465. Ibn 'Abbâs (RAA) narrated, 'The Messenger of Allâh said, **"Do not shorten the prayer** (while traveling) **for a distance less than four *Buruds*** (each *Burd* equals 16 *Farsakh*), **from Makkah to 'Usafân."** Related by Ad-Dâraqutnî, but its chain of narrators has 'Abdul Wahâb bin Mujâhid who was accused of lying in *Hadîth*, by Imâm Ath-Thawry.

٤٦٦ ــ وَعَنْ جَابِرٍ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «خَيْرُ أُمَّتِي الَّذِينَ إِذَا أَسَاءُوا اسْتَغْفَرُوا ، وَإِذَا سَافَرُوا قَصَرُوا وَأَفْطَرُوا». أَخْرَجَهُ الطَّبَرَانِيُّ فِي الأَوْسَطِ بِإِسْنَادٍ ضَعِيفٍ ، وَهُوَ فِي مُرْسَلِ سَعِيدِ بْنِ الْمُسَيَّبِ عِنْدَ الْبَيْهَقِيِّ مُخْتَصَرًا .

466. Jâbir bin 'Abdullâh (RAA) narrated that the Messenger of Allâh ﷺ said, **"The best ones in my nation are those who seek Allâh's forgiveness when they do wrong, and when on a journey they shorten the prayer and break their fast."**Related by At-Tabarânî in his *'Awsat,'* with a weak chain of narrators.

٤٦٧ ــ وَعَــنْ عِمْــرَانَ بْنِ حُصَيْنٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : كَانَتْ بِي بَوَاسِيرُ فَسَــأَلْتُ النَّــبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَنِ الصَّلاَةِ ، فَقَالَ : «صَلِّ قَائِمًا ، فَإِنْ لَمْ تَسْتَطِعْ فَقَاعِدًا ، فَإِنْ لَمْ تَسْتَطِعْ فَعَلَى جَنْبٍ». رَوَاهُ الْبُخَارِيُّ .

467. 'Imrân bin Husain (RAA) narrated, 'I had hemorrhoids, so I asked the Prophet ﷺ about the prayer and he said, **"Pray while standing and if you cannot do so, pray while sitting, and if you can not do that, then pray while lying on your side."** Related by Al-Bukhârî.

٤٦٨ ــ وعــن جَابِــرٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : عَادَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ مَرِيضًا فَرَآهُ يُصَلِّي عَلَى وِسَادَةٍ فَرَمَى بِهَا ، وَقَالَ : «صَلِّ عَلَى الأَرْضِ إِن اسْتَطَعْتَ ، وَإِلاَّ فَــأَوْمِ إِيمَاءً ، وَاجْعَلْ سُجُودَكَ أَخْفَضَ مِنْ رُكُوعِكَ». رَوَاهُ الْبَيْهَقِيُّ ، وَصَحَّحَ أَبو حَاتِمٍ وَقْفَهُ .

468. Jâbir bin 'Abdullâh (RAA) narrated that the Messenger of Allâh ﷺ visited a sick person and found him praying while sitting on a cushion. The Prophet pushed it aside and said to him: **"Pray while sitting on the ground if you can, and if you can not, then pray by nodding your head, and make a lower nodding for prostration than that for bowing (*rukû'*)."** Related by Al-Baihaqî.

٤٦٩ ــ وَعَــنْ عَائِشَــةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «رَأَيْتُ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يُصَلِّي مُتَرَبِّعًا». رَوَاهُ النَّسَائِيُّ ، وَصَحَّحَهُ الْحَاكِمُ .

469. 'Â'ishah (RAA) narrated, 'I saw the Messenger of Allâh ﷺ praying while he was sitting cross-legged.' Related by An-Nasâ'î, and al-Hâkim graded it as *Sahîh*.

## بَـــابُ صَـــلاَةِ الْجُمُعَـــةِ

## *Chapter XII: The Friday (Jum'ah) Prayer*

٤٧٠ ـــ عَـــنْ عَبْدِ اللَّهِ بْنِ عُمَرَ ، وَأَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُمْ - ، أَنَّهُمَا سَمِعَا رَسُـــولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ - عَلَى أَعْوَادِ مِنْبَرِهِ - : «لَيَنْتَهِيَنَّ أَقْوَامٌ عَنْ وَدْعِهِـــمُ الْجُمُعَـــاتِ ، أَوْ لَيَخْـــتِمَنَّ اللَّهُ عَلَى قُلُوبِهِمْ ، ثُمَّ لَيَكُونُنَّ مِنَ الْغَافِلِينَ». رَوَاهُ مُسْلِمٌ .

470. 'Abdullâh Ibn 'Umar and Abû Hurairah (RAA) narrated that they heard the Messenger of Allâh ﷺ say, while standing on his pulpit, **"Those who are not attending the *Jum'ah* (Friday) prayer should stop doing so, otherwise, Allâh the Exalted, will seal their hearts and they will be reckoned among the heedless."** Related by Muslim.

٤٧١ ـــ وَعَنْ سَلَمَةَ بْنِ الأَكْوَعِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «كُنَّا نُصَلِّي مَعَ رَسُولِ اللَّـــهِ صَـــلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَوْمَ الْجُمُعَةِ ، ثُمَّ نَنْصَرِفُ وَلَيْسَ لِلْحِيطَانِ ظِلٌّ يُسْتَظَلُّ بِهِ». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِلْبُخَارِيِّ .

وَفِي لَفْظٍ لِمُسْلِمٍ : «كُنَّا نُجَمِّعُ مَعَهُ إِذَا زَالَتِ الشَّمْسُ ، ثُمَّ نَرْجِعُ ، نَتَتَبَّعُ الْفَيْءَ».

471. Salamah bin Al-Akwa' (RAA) narrated, 'We used to offer the *Jum'ah* prayer with the Prophet ﷺ, and by the time we returned from the prayer, the walls would have no shade (enough to shelter us from the heat).'[153] Agreed upon. The wording is from Al-Bukhârî.

In the version of Muslim, 'We would pray the Friday prayer with the Prophet ﷺ when the sun had passed the meridian, and when we returned (from prayer) we would be following the shade (i.e.

153- What he means is that the shade of the walls is not enough to sit in for protection from the heat of the sun, not that the walls had no shade at all. This means that the Prophet ﷺ used to finish the *Jum'ah* prayer at an early time, not long after the sun had passed the meridian.

searching for any shade- that we could walk in- to protect ourselves from the heat of the sun).'

٤٧٢ ـــ وَعَـــنْ سَهْلِ بْنِ سَعْدٍ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : «مَا كُنَّا نَقِيلُ وَلاَ نَتَغَدَّى إِلاَّ بَعْدَ الْجُمُعَةِ». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِمُسْلِمٍ .
وَفِي رِوَايَةٍ : «فِي عَهْدِ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ».

472. Sahl bin Sa´d (RAA) narrated, 'We never had an afternoon nap or lunch till after offering the *Jum´ah* prayer.' Agreed upon and the wording is from Muslim. In another narration, 'In the lifetime of the Prophet ﷺ.'

٤٧٣ ـــ وَعَـــنْ جَابِرٍ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَـــانَ يَخْطُبُ قَائِمًا ، فَجَاءَتْ عِيرٌ مِنَ الشَّامِ ، فَانْفَتَلَ النَّاسُ إِلَيْهَا ، حَتَّى لَمْ يَبْقَ إِلاَّ اثْنَا عَشَرَ رَجُلاً». رَوَاهُ مُسْلِمٌ .

473. Jâbir (RAA) narrated, 'The Messenger of Allâh ﷺ was standing (on his pulpit) delivering the *Khutbah* (sermon) on Friday, when a caravan arrived from Syria. The people slipped out (from the mosque) towards the caravan, until only twelve men were left (with the Prophet ﷺ to pray *Jum´ah*).'[154] Related by Muslim.

٤٧٤ ـــ وَعَنْ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ : «مَـــنْ أَدْرَكَ رَكْعَةً مِنْ صَلاَةِ الْجُمُعَةِ وَغَيْرِهَا فَلْيُضِفْ إِلَيْهَا أُخْرَى ، وَقَدْ تَمَّـــتْ صَـــلاَتُهُ». رَوَاهُ النَّسَائِيُّ ، وَابْنُ مَاجَهْ ، وَالدَّارَقُطْنِيُّ ، وَاللَّفْظُ لَهُ ، وَإِسْنَادُهُ صَحِيحٌ ، لَكِنْ قَوَّى أَبُو حَاتِمٍ إِرْسَالَهُ .

474. Ibn ´Umar (RAA) narrated, 'The Messenger of Allâh ﷺ said, **"Whoever catches only one *rak´ah* of the *Jum´ah* prayer, or any other prayer, he should then add to it another**

154- It was on this occasion that this verse with regard to *Jum´ah* was revealed." ***And when they see merchandise or some amusement they disperse headlong to it, and leave you standing.***"

**one,[155] and his prayer will be complete."** Related by An-Nasâ'î, Ibn Mâjah, Ad-Dâraqutnî and the wording is his, with a sound chain of narrators.

٤٧٥ ــ وَعَنْ جَابِرِ بْنِ سَمُرَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ يَخْطُبُ قَائِمًا ، يَجْلِسُ ، ثُمَّ يَقُومُ فَيَخْطُبُ قَائِمًا ، فَمَنْ نَبَّأَكَ أَنَّهُ كَانَ يَخْطُبُ جَالِسًا فَقَدْ كَذَبَ». أَخْرَجَهُ مُسْلِمٌ .

475. Jâbir bin Samurah (RAA) narrated, 'The Messenger of Allâh ﷺ would deliver the *Khutbah* (sermon) on Friday while standing, and then would sit, and then he would stand and speak again. So, whoever says that he gave the *Khutbah* (sermon) while sitting, he would be lying.' Related by Muslim.

٤٧٦ ــ وَعَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِذَا خَطَبَ ، إِحْمَرَّتْ عَيْنَاهُ ، وَعَلاَ صَوْتُهُ ، وَاشْتَدَّ غَضَبُهُ ، حَتَّى كَأَنَّهُ مُنْذِرُ جَيْشٍ يَقُولُ : صَبَّحَكُمْ وَمَسَّاكُمْ ، وَيَقُولُ : «أَمَّا بَعْدُ ، فَإِنَّ خَيْرَ الْحَدِيثِ كِتَابُ اللَّهِ ، وَخَيْرَ الْهَدْيِ هَدْيُ مُحَمَّدٍ ، وَشَرَّ الأُمُورِ مُحْدَثَاتُهَا ، وَكُلَّ بِدْعَةٍ ضَلاَلَةٌ». رَوَاهُ مُسْلِمٌ ، وَفِي رِوَايَةٍ لَهُ : كَانَتْ خُطْبَةُ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَوْمَ الْجُمُعَةِ : يَحْمَدُ اللَّهَ وَيُثْنِي عَلَيْهِ ، ثُمَّ يَقُولُ عَلَى أَثَرِ ذَلِكَ . وَقَدْ عَلاَ صَوْتُهُ . وَفِي رِوَايَةٍ لَهُ : {وَمَنْ يَهْدِ اللَّهُ فَمَا لَهُ مِنْ مُضِلٍ} [الزُّمَر : ٣٧] ، {مَنْ يُضْلِلِ اللَّهُ فَلاَ هَادِيَ لَهُ} [الأَعْرَاف : ١٨٦] ، وَلِلنَّسَائِيِّ : «وَكُلُّ ضَلاَلَةٍ فِي النَّارِ».

476. Jâbir bin 'Abdullâh (RAA) narrated, 'When Allâh's Messenger ﷺ delivered the *Khutbah* (sermon), his eyes would become red, his voice would (gradually) rise, and he would become filled with fervor, like one who is giving a warning to an army (against an expected enemy) saying:[156] 'The enemy has made a morning at-

155- Or more *rak'ât* –if not in the *Jum'ah* - to complete the number of *rak'ât*, which is left, whether one or more.

156- Who is meant here is the one giving the warning to the army, not that the Prophet ﷺ is saying this.

tack on you (or an evening attack).' The Messenger of Allâh then says, **"The best of speech** (ever said) **are those of the Book of Allâh, and the best of guidance is that given by Muhammad ﷺ, and the most evil of matters are those which are innovated,**[157] **and each *Bid'ah*** (an innovation in religion, whether in worship or fundamentals) **is considered as a form of misguidance."** Related by Muslim. In another narration by Muslim, Jâbir said, 'The Friday *Khutbah* (sermon) of the Messenger of Allâh ﷺ would be that he praises Allâh, the Exalted and then would say while his voice is rising.' In another narration, (he would say), **"Whomever Allâh guides no one can lead him astray, and whomever Allâh leaves astray, will have no one to guide him."**

In a narration by An-Nasâ'î, **"and every misguidance** (i.e. *Bid'ah*) **is in Hell."**

٤٧٧ ـ وَعَنْ عَمَّارِ بْنِ يَاسِرٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ: سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ: «إِنَّ طُولَ صَلاَةِ الرَّجُلِ، وَقِصَرَ خُطْبَتِهِ مَئِنَّةٌ مِنْ فِقْهِهِ». رَوَاهُ مُسْلِمٌ.

477. 'Ammâr bin Yâsir (RAA) narrated, 'I heard the Messenger of Allâh ﷺ say, **"Prolonging the prayer and shortening one's *Khutbah* is a sign of one's comprehension of his religion."** Related by Muslim.

٤٧٨ ـ وَعَنْ أُمِّ هِشَامٍ بِنْتِ حَارِثَةَ بْنِ النُّعْمَانِ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ: «مَا أَخَذْتُ {قٓ وَالْقُرْآنِ الْمَجِيدِ} [قٓ: ١] إِلاَّ عَنْ لِسَانِ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقْرَأُهَا كُلَّ جُمُعَةٍ عَلَى الْمِنْبَرِ إِذَا خَطَبَ النَّاسَ». رَوَاهُ مُسْلِمٌ.

478. Umm Hishâm bint Hârithah bin an-Nu'mân (RAA) narrated, 'I learnt *sûrah* ***"Qâf. By the Glorious Qur'ân" (no. 50:1)***, from the Prophet ﷺ for he recited it upon the pulpit every Friday, when he addressed the people in the Friday *Khutbah*.' Related by Muslim.

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157- Innovated in religion and not innovated in worldly matters if they do not contradict the fundamentals of Islâm.

٤٧٩ ـــ وَعَـــنِ ابْنِ عَبَّاسٍ – رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا – قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ تَكَلَّمَ يَوْمَ الْجُمُعَةِ وَالإِمَامُ يَخْطُبُ فَهُوَ كَمَثَلِ الحِمَارِ يَحْمِلُ أَسْـــفَارًا ، وَالَّذِي يَقُولُ لَهُ : أَنْصِتْ ، لَيْسَتْ لَهُ جُمُعَةٌ». رَوَاهُ أَحْمَد بِإِسْنَادٍ لاَ بَأْسَ بِهِ ، وَهُوَ يُفَسِّرُ حَدِيثَ أَبِي هريرة في الصَّحِيحَيْنِ مَرْفُوعًا .

479. Ibn 'Abbâs (RAA) narrated that the Messenger of Allâh ﷺ said: **"Whoever speaks in the *Jum'ah* while the Imâm is delivering the *Khutbah is* like a donkey who is carrying books, and for he who tells him to be quiet, there will be no (reward) for his *Jum'ah* prayer."** Related by Ahmad with an acceptable chain of narrators. This *Hadîth* explains the following *Hadîth* narrated by Abû Hurairah.

٤٨٠ ـــ «إِذَا قُلْتَ لِصَاحِبِكَ : أَنْصِتْ يَوْمَ الْجُمُعَةِ وَالإِمَامُ يَخْطُبُ فَقَدْ لَغَوْتَ».

480. Abû Hurairah (RAA) narrated, **"If during the *Jum'ah* prayer while the Imâm is delivering the *Khutbah*, you tell your companion to be quiet, then you have spoken needlessly** (spoken evil talk or vain talk)." Agreed upon.

٤٨١ ـــ وَعَـــنْ جَابِرٍ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : دَخَلَ رجل يَوْمَ الْجُمُعَةِ ، وَالنَّبِيُّ صَـــلَّى اللَّـــهُ عَلَيْهِ وَسَلَّمَ يَخْطُبُ . فَقَالَ :«صَلَّيْتَ ؟» قَالَ : لاَ . قَالَ : «قُمْ فَصَلِّ رَكْعَتَيْنِ». مُتَّفَقٌ عَلَيْهِ .

481. Jâbir Ibn 'Abdullâh (RAA) narrated, 'A man entered the mosque while the Prophet ﷺ was delivering the *Khutbah* on Friday. The Prophet ﷺ said to him, **"Have you prayed?"** The man replied in the negative. The Prophet ﷺ said, **"Get up and pray two *rak'ât.*"** Agreed upon.

٤٨٢ ـــ وَعَـــنِ ابْنِ عَبَّاسٍ – رَضِيَ اللَّهُ عَنْهُمَا – : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ يَقْرَأُ فِي صَلاَةِ الْجُمُعَةِ سُورَةَ الْجُمُعَةِ ، وَالْمُنَافِقِينَ». رَوَاهُ مُسْلِمٌ .

482. Ibn 'Abbâs (RAA) narrated, 'The Messenger of Allâh used to recite in the *Jum'ah* prayer, *Sûrah al-Jum'ah (no. 62) and Sûrah al-Munâfiqûn (no. 63).'* Related by Muslim.

٤٨٣ ــ وَلَهُ عَنِ النُّعْمَانِ بْنِ بَشِيرٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «كَانَ يَقْرَأُ فِي الْعِيدَيْنِ وَفِــي الْجُمُعَةِ: بِــ{سَبِّحِ اسْمَ رَبِّكَ الأَعْلَى} [الأعلى : ١] ، وَ{هَلْ أَتَاكَ حَدِيثُ الغَاشِيَةِ} [الغاشية : ١]

483. Nu´mân bin Al-Bashîr (RAA) narrated, 'The Messenger of Allâh ﷺ used to recite in the two *'îds* and the *Jum´ah* prayer, ***sûrah al-A´lâ (no. 87), "Glorify the Name of Your Lord"***, and ***sûrah al-Ghâshiyah (no. 88), "Has there come to you the narration of the overwhelming (the Day of Resurrection).'*** Related by Muslim.

٤٨٤ ــ وَعَــنْ زَيْدِ بْنِ أَرْقَمَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : صَلَّى النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ الْعِيدَ ، ثُمَّ رَخَّصَ فِي الْجُمُعَةِ ، ثُمَّ قَالَ : «مَنْ شَاءَ أَنْ يُصَلِّيَ فَلْيُصَلِّ». رَوَاهُ الْخَمْسَةُ إِلاَّ التِّرْمِذِيَّ ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ .

484. Zaid bin Arqam (RAA) narrated, 'The Prophet ﷺ prayed the *îd* prayer and then gave an exemption concerning the *Jum´ah* prayer, and said, **"Whoever wishes to pray it may pray it** (i.e. the *Jum´ah*)**."** Related by the five Imâms except for At-Tirmidhî, and Ibn Khuzaimah graded it as Sa*h*î*h*.

٤٨٥ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا صَلَّى أَحَدُكُمُ الْجُمُعَةَ فَلْيُصَلِّ بَعْدَهَا أَرْبَعًا». رَوَاهُ مُسْلِمٌ .

485. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said: **"Whoever prays the *Jum´ah*, should pray four *rak´ât* after it."** Related by Muslim.

٤٨٦ ــ وَعَــنِ السَّــائِبِ بْنِ يَزِيدَ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ مُعَاوِيَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ لَهُ : إِذَا صَلَّيْتَ الْجُمُعَةَ فَلاَ تَصِلْهَا بِصَلاَةٍ ، حَتَّى تَتَكَلَّمَ أَوْ تَخْرُجَ ، فَإِنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَمَرَنَا بِذَلِكَ : أَنْ لاَ نَصِلَ صَلاَةً بِصَلاَةٍ حَتَّى نَتَكَلَّمَ أَوْ نَخْرُجَ». رَوَاهُ مُسْلِمٌ .

486. As-Sâ'ib bin Yazîd (RAA) narrated that 'Mu´âwiyah (RAA) said to him, 'Whenever you have prayed the *Jum´ah*, you

should not follow it (immediately) with another prayer, unless you have talked or gone out (of the mosque), as the Messenger of Allâh ﷺ has ordered us to do so, and that we do not follow it with another prayer unless we talk or go out.' Related by Muslim.

٤٨٧ ـــ وَعَـــنْ أَبِـــي هُرَيْـــرَةَ قَالَ : قَالَ رَسُولُ اللَّه صَلَّى اللَّهُ عَلَيْه وَسَلَّمَ : «مَنِ اغْتَسَـــلَ ، ثُمَّ أَتَى الْجُمُعَةَ ، فَصَلَّى مَا قُدِّرَ لَهُ ، ثُمَّ أَنْصَتَ ، حَتَّى يَفْرُغَ الإِمَامُ مِنْ خُطْبَتِه ، ثُمَّ يُصَلِّي مَعَهُ : غُفِرَ لَهُ مَا بَيْنَهُ وَبَيْنَ الْجُمُعَةِ الأُخْرَى ، وَفَضْلُ ثَلاَثَةِ أَيَّامٍ». رَوَاهُ مُسْلِمٌ .

487. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"Whoever performs *Ghusl*** (full ritual washing), **then comes to the *Jum'ah* Prayer, and prays as many** (*rak'ât*) **as much as**(Allâh has) **written for him, and then remains silent and listens until the Imâm finishes his *Khutbah*, and then prays with him, his sins – between this present Friday and the next one- would be forgiven, and even**(sins of) **three days more."** Related by Muslim.

٤٨٨ ـــ وَعَنْهُ – رَضِيَ اللَّهُ عَنْهُ – أَنَّ رَسُولَ اللَّه صَلَّى اللَّهُ عَلَيْه وَسَلَّمَ ، ذَكَرَ يَوْمَ الْجُمُعَـــةِ فَقَـــالَ : «فِـــيه سَاعَةٌ لاَ يُوَافِقُهَا عَبْدٌ مُسْلِمٌ وَهُوَ قَائِمٌ يُصَلِّي ، يَسْأَلُ اللَّهَ – عَزَّ وَجَلَّ – شَيْئًا إِلاَّ أَعْطَاهُ إِيَّاهُ» ، وَأَشَارَ بِيَدِه يُقَلِّلُهَا . مُتَّفَقٌ عَلَيْه .

وَفِي رِوَايَةٍ لِمُسْلِمٍ : «وَهِيَ سَاعَةٌ خَفِيفَةٌ».

488. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said mentioning the (virtues of) Friday, **"On Friday, there is an <u>'hour,'</u> in which no Muslim, who matches (this hour) praying and asking Allâh for something, except that Allâh will grant him whatever he asked for."** The Messenger of Allâh pointed with his hand indicating how short that hour is.' Agreed upon. In the version of Muslim, **"It is a short period of time."**

٤٨٩ ـــ وَعَـــنْ أَبِي بُرْدَةَ عَنْ أَبِيه – رَضِيَ اللَّهُ عَنْهُمَا – قَالَ : سَمِعْتُ رَسُولَ اللَّه صَلَّى اللَّهُ عَلَيْه وَسَلَّمَ يَقُولُ : «هِيَ مَا بَيْنَ أَنْ يَجْلِسَ الإِمَامُ إِلَى أَنْ تُقْضَى الصَّلاَةُ».

رَوَاهُ مُسْلِمٌ ، وَرَجَّحَ الدَّارَقُطْنِيُّ أَنَّهُ مِنْ قَوْلِ أَبِي بُرْدَةَ .

489. Abû Burdah[158] narrated on the authority of his father, 'I heard the Messenger of Allâh say: **"It is** (i.e. this hour)**, between the time when the Imâm sits** (i.e. upon the pulpit) **and the time that the prayer is completed."** Related by Muslim, but Imâm Ad-Dâraqutnî says that it is the saying of Abû Burdah and not the narration of the Prophet ﷺ.[159]

٤٩٠ ، ٤٩١ ــ وَفِــي حَدِيثِ عَبْدِ اللَّهِ بْنِ سَلاَمٍ عِنْدَ ابْنِ مَاجَهْ ، وَعَنْ جَابِرٍ عِنْدَ أَبِي دَاوُدَ ، وَالنَّسَائِيِّ : «أَنَّهَا مَا بَيْنَ صَلاَةِ الْعَصْرِ وَغُرُوبِ الشَّمْسِ».
وَقَدْ اخْتُلِفَ فِيهَا عَلَى أَكْثَرَ مِنْ أَرْبَعِينَ قَوْلاً أَمْلَيْتُهَا فِي شَرْحِ الْبُخَارِيِّ .

490, 491. Ibn Mâjah narrated on the authority of 'Abdullâh bin Salam, while Imâms Abû Dawûd and An-Nasâ'î narrated on the authority of Jâbir bin 'Abdullâh: **"It is between the time of al 'Asr prayer and sunset."** Scholars differed as to the exact time of this hour, up to almost forty different sayings. I mentioned all of them in *'Fath-ul-Bârî'*(the interpretation of *'Sahîh al-Bukhârî"*.[160]

٤٩٢ ــ وَعَــنْ جَابِرٍ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : «مَضَتِ السُّنَّةُ أَنَّ فِي كُلِّ أَرْبَعِينَ فَصَاعِدًا جُمُعَةً». رَوَاهُ الدَّارَقُطْنِيُّ بِإِسْنَادٍ ضَعِيفٍ .

492. Jâbir bin 'Abdullâh (RAA) narrated, 'It is from the *Sunnah* of the Prophet ﷺ that the *Jum'ah* prayer can only be held, when forty people or more congregate for it.'[161] Related by Ad-Dâr-

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158- He is 'Âmir bin 'Abdullâh bin Qais and his father is Abû Mûsâ al-Ash'arî (the famous companion of the Prophet ﷺ).

159- Scholars have different opinions as to the time of this hour, but most say that it is probably after *'Asr*, i.e. towards the end of the day and not during the Friday prayer.

160- This final comment is by Imâm ibn Hajar, the author of *'Bulûgh al-Marâm.'*

161- *Imâm* as-San'ânî *in 'Subul as-Salâm,'* says that the *Jum'ah* could be held with at least three people, as they form a congregation (and this is the opinion of the Hanafî), and some scholars are of the opinion that two could also hold a *Jamâ'ah*, There is no evidence from the *Hadîth* of the

aqutnî with a weak chain of narrators.[162]

٤٩٣ ـــ وَعَـــنْ سَـــمُرَةَ بْنِ جُنْدَبٍ : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ يَسْتَغْفِرُ لِلْمُؤْمِنِينَ وَالْمُؤْمِنَاتِ فِي كُلِّ جُمُعَةٍ». رَوَاهُ الْبَزَّارُ بِإِسْنَادٍ لَيِّنٍ .

493. Samurah bin Jundub (RAA) narrated, 'The Messenger of Allâh ﷺ used to seek Allâh's forgiveness for the believers (males and females) every Friday (in the *Khutbah* of *Jum'ah*).' Related by Al-Bazzâr with a weak chain of narrators.

٤٩٤ ـــ وَعَـــنْ جَابِرِ بْنِ سَمُرَةَ : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ فِي الْخُطْبَةِ يَقْرَأُ آيَاتٍ مِنَ الْقُرْآنِ ، يُذَكِّرُ النَّاسَ». رَوَاهُ أَبُو دَاوُدَ ، وَأَصْلُهُ فِي مُسْلِمٍ .

494. Jâbir bin Saumrah (RAA) narrated that the Messenger of Allâh ﷺ would recite some verses from the Qur'ân during the Friday *Khutbah,* and would remind people (about Allâh).' Related by Abû Dawûd.

٤٩٥ ـــ وَعَنْ طَارِقِ بْنِ شِهَابٍ أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «الْجُمُعَةُ حَـــقٌّ وَاجِـــبٌ عَلَى كُلِّ مُسْلِمٍ فِي جَمَاعَةٍ إِلاَّ أَرْبَعَةً : مَمْلُوكٌ ، وَامْرَأَةٌ ، وَصَبِيٌّ ، وَمَرِيضٌ». رَوَاهُ أَبُو دَاوُدَ ، وَقَالَ : لَمْ يَسْمَعْ طَارِقٌ مِنَ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، وَأَخْرَجَهُ الْحَاكِمُ مِنْ رِوَايَةِ طَارِقٍ الْمَذْكُورِ عَنْ أَبِي مُوسَى .

495. Târiq bin Shihâb (RAA) narrated that the Messenger of Allâh ﷺ said, ***"Al-Jum'ah* is a compulsory duty upon every Muslim in a community** (of Muslims), **save four: a slave, a woman, a child, or a person who is ill."**Related by Abû Dawûd who commented that Târiq did not hear the *Hadîth* from the Prophet ﷺ. Al-Hâkim related the *Hadîth* on the authority of Târiq who transmitted it on the authority of Abû Musâ.

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Prophet ﷺ stating an exact number as a condition for the *Jum'ah* to be held, and that is why most scholars say that any number which is suitable for a *Jamâ'ah* prayer is valid for the *Jum'ah*.

162- The chain of narrators has 'Abdul 'Azîz bin 'Abdur Rahmân who is considered a liar, and a fabricator of *Hadîth*.

٤٩٦ ــ وَعَنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لَيْسَ عَلَى مُسَافِرٍ جُمُعَةٌ». رَوَاهُ الطَّبَرَانِيُّ بِإِسْنَادٍ ضَعِيفٍ .

496. Ibn ´Umar (RAA) narrated that the Messenger of Allâh ﷺ said, ***"Al-Jum´ah* prayer is not obligatory for the traveler."** Related by At-Tabarânî with a weak chain of narrators.

٤٩٧ ــ وَعَنْ عَبْدِ اللهِ بْنِ مَسْعُودٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «كَانَ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِذَا اسْتَوَى عَلَى الْمِنْبَرِ اسْتَقْبَلْنَاهُ بِوُجُوهِنَا». رَوَاهُ التِّرْمِذِيُّ بِإِسْنَادٍ ضَعِيفٍ .

497. ´Abdullâh Ibn Mas´ûd (RAA) narrated, "When the Messenger of Allâh ﷺ mounted the pulpit, he would turn his face to us.' Related by At-Tirmidhî with a weak chain of narrators.

٤٩٨ ــ وَلَهُ شَاهِدٌ مِنْ حَدِيثِ الْبَرَاءِ عِنْدَ ابْنِ خُزَيْمَةَ .

498. The above *Hadîth* is supported by another narration on the authority of Al-Barâ bin ´Âzib, related by Ibn Khuzaimah.

٤٩٩ ــ وَعَنِ الْحَكَمِ بْنِ حَزْنٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «شَهِدْنَا الْجُمُعَةَ مَعَ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، فَقَامَ مُتَوَكِّئًا عَلَى عَصًا أَوْ قَوْسٍ». رَوَاهُ أَبُو دَاوُدَ .

499. Al-Hâkam bin Hazn (RAA) narrated, 'We attended the *Jum´ah* with the Prophet ﷺ and he stood leaning on a stick or on a bow.'[163] Related by Abû Dawûd.

163- Imâm Ibnul Qaiyim says that the Prophet ﷺ used to lean on a stick or a bow before the pulpit was made for him, and none of the Companions mentioned that he leaned on anything after the pulpit was made.

# بَــابُ صَــلَاةِ الْخَــوْفِ

## *Chapter XIII: Prayer During Times of Fear or Danger (Salâtul Khauf)*

٥٠٠ ــ عَــنْ صَالِحِ بْنِ خَوَّاتٍ – رَضِيَ اللَّهُ عَنْهُ – عَمَّنْ صَلَّى مَعَ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَوْمَ ذَاتِ الرِّقَاعِ صَلَاةَ الْخَوْفِ : «أَنَّ طَائِفَةً مِنْ أَصْحَابِهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ صَفَّتْ مَعَهُ وَطَائِفَةٌ وِجَاهَ الْعَدُوِّ ، فَصَلَّى بِالَّذِينَ مَعَهُ رَكْعَةً ، ثُمَّ ثَبَتَ قَائِمًا وَأَتَمُّوا لِأَنْفُسِهِمْ ، ثُمَّ انْصَرَفُوا فَصَفُّوا وِجَاهَ الْعَدُوِّ ، وَجَاءَتِ الطَّائِفَةُ الْأُخْرَى، فَصَلَّى بِهِمُ الرَّكْعَةَ الَّتِي بَقِيَتْ ، ثُمَّ ثَبَتَ جَالِسًا وَأَتَمُّوا لِأَنْفُسِهِمْ، ثُمَّ سَلَّمَ بِهِمْ». مُتَّفَقٌ عَلَيْهِ وَهَذَا لَفْظُ مُسْلِمٍ ، وَوَقَعَ فِي الْمَعْرِفَةِ لِابْنِ مَنْدَهْ ، عَنْ صَالِحِ بْنِ خَوَّاتٍ عن أبيه .

500. Sâlih bin Khawwât (RAA) on the authority of those who prayed *Salâtul Khauf* (prayer during time of danger) with the Prophet ﷺ at the battle of *Dhât ar-Riqâ'*, 'A group lined up with the Prophet ﷺ -and prayed along with him- while another group faced the enemy. He prayed one *rak'ah* with the group that was with him and remained standing while they finished the prayer (by praying another *rak'ah*) and then left and faced the enemy. The second group came and prayed the remaining *rak'ah* with him, then he remained sitting until they had completed their prayers themselves, after which he led them in making the *Taslîm*.'Agreed upon, and the wording is from Muslim.

٥٠١ ــ وَعَنِ ابْنِ عُمَرَ – رَضِيَ اللَّهُ عَنْهُمَا – قَالَ : «غَزَوْتُ مَعَ رَسُولِ اللَّهِ صَلَّى اللَّــهُ عَلَيْهِ وَسَلَّمَ ، قِبَلَ نَجْدٍ ، فَوَازَيْنَا الْعَدُوَّ فَصَافَفْنَاهُمْ ، فَقَامَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَــيْهِ وَسَلَّمَ ، فَصَلَّى بِنَا ، فَقَامَتْ طَائِفَةٌ مَعَهُ ، وَأَقْبَلَتْ طَائِفَةٌ عَلَى الْعَدُوِّ ، وَرَكَعَ بِمَــنْ مَعَهُ ، وَسَجَدَ سَجْدَتَيْنِ ، ثُمَّ انْصَرَفُوا مَكَانَ الطَّائِفَةِ الَّتِي لَمْ تُصَلِّ ، فَجَاءُوا ، فَــرَكَعَ بِهِــمْ رَكْعَةً ، وَسَجَدَ سَجْدَتَيْنِ ، ثُمَّ سَلَّمَ ، فَقَامَ كُلُّ وَاحِدٍ مِنْهُمْ ، فَرَكَعَ لِنَفْسِهِ رَكْعَةً ، وَسَجَدَ سَجْدَتَيْنِ». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِلْبُخَارِيِّ .

501. Ibn 'Umar (RAA), narrated, 'I took part in a battle with the Prophet ﷺ, in Najd. We faced the enemy and arranged ourse-

lves in rows. Then the Messenger of Allâh ﷺ stood up to lead the prayer. A group lined up to pray with him while the other faced the enemy. The Prophet ﷺ bowed in *rukû´* and the first group bowed with him and then he performed two prostrations. The first group then left (after praying one *rak´ah*) and took place of those who had not yet prayed. The second group came to pray with the Prophet ﷺ and he prayed one *rak´ah* and performed two prostrations and then said the *Taslîm*. Then the latter group stood up and prayed another *rak´ah* and performed two prostrations on their own.' Agreed upon, and the wording is from Al-Bukhârî.[164]

٥٠٢ ـــ وَعَـــنْ جَابِرٍ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : «شَهِدْتُ مَعَ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَـــيْهِ وَسَـــلَّمَ صَلاَةَ الْخَوْفِ فَصَفَفْنَا صَفَّيْنِ صَفٌّ خَلْفَ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، وَالْعَدُوُّ بَيْنَنَا وَبَيْنَ الْقِبْلَةِ ، فَكَبَّرَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَكَبَّرْنَا جَمِيعًا ، ثُـــمَّ رَكَـــعَ وَرَكَعْنَا جَمِيعًا ، ثُمَّ رَفَعَ رَأْسَهُ مِنَ الرُّكُوعِ وَرَفَعْنَا جَمِيعًا ، ثُمَّ انْحَدَرَ بِالسُّـــجُودِ وَالصَّـــفُّ الَّذِي يَلِيهِ ، وَأَقَامَ الصَّفُّ الْمُؤَخَّرُ فِي نَحْرِ الْعَدُوِّ ، فَلَمَّا قَضَى السُّجُودَ قَامَ الصَّفُّ الَّذِي يَلِيهِ» ، فَذَكَرَ الْحَدِيثَ .

وَفِي رِوَايَةٍ : «ثُمَّ سَجَدَ وَسَجَدَ مَعَهُ الصَّفُّ الأَوَّلُ ، فَلَمَّا قَامُوا سَجَدَ الصَّفُّ الثَّانِي ، ثُمَّ تَأَخَّرَ الصَّفُّ الأَوَّلُ وَتَقَدَّمَ الصَّفُّ الثَّانِي» ، وَذَكَرَ مِثْلَهُ . وَفِي أَوَاخِرِهِ : «ثُمَّ سَلَّمَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَسَلَّمْنَا جَمِيعًا». رَوَاهُ مُسْلِمٌ .

502. Jâbir bin ´Abdullâh (RAA) narrated, 'I prayed Salâtul *Khauf* (prayer when one is afraid) with the Prophet ﷺ and he arranged us in two rows behind him. The enemy was between us and the *Qiblah* (i.e. the enemy in this case was in the direction of the *Qiblah*). The Prophet ﷺ made the *Takbîr* and we all followed

164- *Imâm* as-San´ânî *in 'Subul as-Salâm'* says that it is apparent that the second group completed their prayer, and prayed a second *rak´ah*, after the Imâm made the *Taslîm* without disconnecting their prayer. The first group did not complete their prayer until the second group had completed theirs and returned to face the enemy and guard the rest of the army, and then they would pray their second *rak´ah*. This is another way of performing the prayer when one is afraid. (the fear prayer)

him. Then he made *rukû´* and we all performed *rukû´* after him. Then he raised his head from the *rukû´* and we all raised our heads from the *rukû´*. Next, the Prophet ﷺ went down for *Sujûd* (prostration) as well as the row closest to him (i.e. the front row), while the back row stood facing the enemy until the Prophet ﷺ and the first row had completed their prostration, after which the back row performed *Sujûd* and then stood. Following this, those in the back row moved to the front, while those in the front row moved to the back. The Prophet ﷺ performed the *rukû´* and we all performed *rukû´*. Then, he raised his head and we raised our heads from *rukû´*. Afterward, he made the *Sujûd* and the row that was previously in the back during the first *rak´ah* prostrated with him while the [new] back row stood facing the enemy. When the Prophet and the [new] front row had completed their *Sujûd*, the [new] back row performed *Sujûd*. Finally, the Prophet made the *Taslîm* and we followed him in this.' Related by Ahmad, Muslim and An-Nasâ'î.

In another narration, '...then he prostrated and the first row prostrated with him. When they stood, the second row performed *Sujûd*...' and mentioned the same as the rest of the first *Hadîth*.' Finally, 'Then the Prophet ﷺ made the *Taslîm* and we all made the *Taslîm* with him.' Related by Muslim.

٥٠٣ ـــ وَلأَبِي دَاوُدَ ، عَنْ أَبِي عَيَّاشٍ الزُّرَقِيِّ ، وَزَادَ : «إِنَّهَا كَانَتْ بِعُسْفَانَ».

503. Abû Dawûd related on the authority of Abû ´Aiyâsh az-Zuraqî, a similar *Hadîth* with the following addition, 'It was performed (i.e. the fear prayer) at ´Usfân.'

٥٠٤ ـــ وَلِلنَّسَائِيِّ مِنْ وَجْهٍ آخَرَ عَنْ جَابِرٍ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ صَلَّى بِطَائِفَةٍ مِنْ أَصْحَابِهِ رَكْعَتَيْنِ ، ثُمَّ سَلَّمَ ، ثُمَّ صَلَّى بِآخَرِينَ رَكْعَتَيْنِ ، ثُمَّ سَلَّمَ».

504. An-Nasâ'î narrated on the authority of Jâbir (RAA), with a different chain of narrators that the Messenger of Allâh ﷺ prayed two *rak´ât* with one group of his companions and then made the *Taslîm*. Then he prayed another two *rak´ât* with another group, and then made the *Taslîm*.

٥٠٥ ـــ وَمِثْلُهُ لأَبِي دَاوُدَ ، عَنْ أَبِي بَكْرَةَ .

505. Abû Dawûd transmitted a similar narration on the authority of Abû Bakrah.

٥٠٦ ـــ وَعَــنْ حُذَيْفَةَ – رَضِيَ اللَّهُ عَنْهُ – : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ صَلَّى صَـــلاَةَ الْخَـــوفِ بِهَـــؤُلاَءِ رَكْعَةً ، وَبِهَؤُلاَءِ رَكْعَةً ، وَلَمْ يَقْضُوا». رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَالنَّسَائِيُّ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

506. Hudhaifah (RAA), narrated, 'The Messenger of Allâh prayed the fear prayer with his companions. He led one group in one *rak'ah,* and then the other group in one *rak'ah*, and they did not pray a second *rak'ah* (to complete two *rak'ât* as they had in the previous cases). Related by Ahmad, Abû Dawûd, an-Nasâ'î and was graded as *Sahîh* by Ibn Hibbân.

٥٠٧ ـــ وَمِثْلُهُ عِنْدَ ابْنِ خُزَيْمَةَ عَنِ ابْنِ عَبَّاسٍ – رَضِيَ اللَّهُ عَنْهُمَا – .

507. Ibn Khuzaimah transmitted a similar *Hadîth* on the authority of Ibn 'Abbâs.

٥٠٨ ـــ وَعَنِ ابْنِ عُمَرَ – رَضِيَ اللَّهُ عَنْهُمَا – قَالَ : قَالَ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «صَلاَةُ الْخَوْفِ رَكْعَةٌ عَلَى أَيِّ وَجْهٍ كَانَ» رَوَاهُ الْبَزَّارُ بِإِسْنَادٍ ضَعِيفٍ.

508. Ibn 'Umar (RAA) narrated, 'The Prophet ﷺ said, ***"Salâtul Khauf (the fear prayer) is one* rak'ah and is *to be performed in any way."*** Related by Al-Bazzâr with a weak chain of narrators.

٥٠٩ ـــ وَعَــنْهُ مَــرْفُوعًا : «لَــيْسَ فِي صَلاَةِ الْخَوْفِ سَهْوٌ». أَخْرَجَهُ الدَّارَقُطْنِيُّ بِإِسْنَادٍ ضَعِيفٍ .

509. Ibn 'Umar (RAA) narrated that the Prophet ﷺ said, ***"There is no Sujûd as-Sahu*** (prostration due to forgetfulness during prayer), **to be performed in *Salâtul Khauf."*** Related by Ad-Dâraqutnî with a weak chain of narrators.

# بَـــابُ صَـــلاَةِ الْعِيدَيْـــنِ

## Chapter XIV: The Prayer of the Two ʿÎd Festivals

٥١٠ ــ عَــنْ عَائِشَةَ – رَضِيَ اللَّهُ عَنْهَا – قَالَتْ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «الْفِطْرُ يَوْمَ يُفْطِرُ النَّاسُ ، وَالأَضْحَى يَوْمَ يُضَحِّي النَّاسُ». رَوَاهُ التِّرْمِذِيُّ .

510. ʿÂ'ishah (RAA) narrated that the Messenger of Allâh ﷺ said, **'Breaking the fast at the end of Ramadân is** (determined) **when people break their fast, and *ʿÎdul Ad-hâ*** (the *ʿÎd* of sacrifice), **is** (determined) **when people offer their sacrifices.'**[165] Related by at-Tirmidhî.

٥١١ ــ وَعَنْ أَبِي عُمَيْرِ بْنِ أَنَسِ بْنِ مَالِكٍ – رَضِيَ اللَّهُ عَنْهُمَا – عَنْ عُمُومَةٍ لَهُ مِنَ الصَّــحَابَةِ : «أَنَّ رَكْبًا جَاءُوا ، فَشَهِدُوا أَنَّهُمْ رَأَوُا الْهِلاَلَ بِالأَمْسِ ، فَأَمَرَهُمُ النَّبِيُّ صَــلَّى اللَّــهُ عَلَــيْهِ وَسَــلَّمَ أَنْ يُفْطِرُوا ، وَإِذَا أَصْبَحُوا أَنْ يَغْدُوا إِلَى مُصَلاَّهُمْ». رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَهَذَا لَفْظُهُ ، وَإِسْنَادُهُ صَحِيحٌ .

511. Abû ʿUmair bin Anas ibn Mâlik (RAA) narrated on the authority of some of his uncles from among the Companions of the Prophet ﷺ that some riders came and testified that they had seen the crescent (of the new moon) the previous night. Thereupon, the Messenger of Allâh ﷺ ordered the people to break their fast, and to go out to their praying place (where they pray the *ʿÎd* prayer) the next morning (to perform the *ʿÎd* prayer in congregation).'[166] Related by Ahmad and Abû Dawûd, and the wording is his, with a sound chain of narrators.

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165- Some scholars said that this *Hadîth* refers to the fact that one should start fasting and break his fast with the Muslim community, and do as they do. The same applies for the day of sacrifice.

166- In the *Hadîth* there lies evidence that it is possible to pray the *ʿÎd* prayer on the second day of *ʿÎd*, if people did not know that the crescent had already been seen, except after the time of prayer has passed , as in this *Hadîth*. It is also evidence that if one misses the *ʿÎd* prayer for any reason, he may go out and pray it the following day.

٥١٢ ــ وَعَنْ أَنَسٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لاَ يَغْدُو يَوْمَ الْفِطْرِ حَتَّى يَأْكُلَ تَمَرَاتٍ». أَخْرَجَهُ الْبُخَارِيُّ ، وَفِي رِوَايَةٍ مُعَلَّقَةٍ ، وَوَصَلَهَا أَحْمَدُ : «وَيَأْكُلُهُنَّ أَفْرَادًا».

512. Anas (RAA) narrated, 'The messenger of Allâh ﷺ would not go out on the Day of *'Îdul Fitr* (Festival of breaking the fast) until he had eaten some dates.' Related by Al-Bukhârî. In another narration by Ahmad, there is the additional phrase, 'He would eat ﷺ an odd number of dates.'

٥١٣ ــ وَعَنِ ابْنِ بُرَيْدَةَ عَنْ أَبِيهِ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : «كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لاَ يَخْرُجُ يَوْمَ الْفِطْرِ حَتَّى يَطْعَمَ ، وَلاَ يَطْعَمُ يَوْمَ الأَضْحَى حَتَّى يُصَلِّيَ». رَوَاهُ أَحْمَدُ وَالتِّرْمِذِيُّ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

513. Abû Buraidah narrated on the authority of his father (RAA), 'The Messenger of Allâh ﷺ would not go out on the Day of *'Îdul Fitr*, until he had eaten (something), and on the Day of *'Îdul Ad-hâ* he would not eat until he had returned from the prayer.' Related by Ahmad, At-Tirmidhî and *Sahîh*ated by Ibn Hibbân.

٥١٤ ــ وَعَنْ أُمِّ عَطِيَّةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «أُمِرْنَا أَنْ نُخْرِجَ الْعَوَاتِقَ وَالْحُيَّضَ فِي الْعِيدَيْنِ : يَشْهَدْنَ الْخَيْرَ وَدَعْوَةَ الْمُسْلِمِينَ ، وَيَعْتَزِلُ الْحُيَّضُ الْمُصَلَّى». مُتَّفَقٌ عَلَيْهِ .

514. Umm 'Atiyah (RAA) related, 'We were ordered to come to the prayer of the two *'Îds* and (even) bring out with us the young (virgin) girls (who had not yet reached puberty) and the menstruating women, so they might witness the good(seen)[167] and the *Takbîr* and supplications of the Muslims. However, the menstruating women would keep away from the praying place (i.e. stand to the side and watch).' Agreed upon

167- Of performing the *'Îd* prayer in congregation, that everybody joins in including children, and women, except for the menstruating women.

٥١٥ ــ وَعَــنِ ابْنِ عُمَرَ – رَضِيَ اللَّهُ عَنْهُمَا – قَالَ : «كَانَ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، وَأَبُو بَكْرٍ وَعُمَرُ يُصَلُّونَ الْعِيدَيْنِ قَبْلَ الْخُطْبَةِ». مُتَّفَقٌ عَلَيْهِ .

515. Ibn 'Umar (RAA) narrated, 'The Messenger of Allâh ﷺ, Abû Bakr and 'Umar used to offer the two *'Îds* prayer before the *Khutbah*.' Agreed upon.

٥١٦ ــ وَعَــنِ ابْنِ عَبَّاسٍ – رَضِيَ اللَّهُ عَنْهُمَا – : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ صَلَّى يَوْمَ الْعِيدِ رَكْعَتَيْنِ ، لَمْ يُصَلِّ قَبْلَهُمَا وَلاَ بَعْدَهُمَا». أَخْرَجَهُ السَّبْعَةُ .

516. Ibn 'Abbâs (RAA) narrated, 'The Messenger of Allâh ﷺ, went out to the *'Îd* prayer and prayed the two *rak'ât* (of the *'Îd* ) and did not offer any other prayer before or after it.' Related by the seven Imâms.

٥١٧ ــ وَعَنْهُ – رَضِيَ اللَّهُ عَنْهُ – : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ صَلَّى الْعِيدَ بِلاَ أَذَانٍ ، وَلاَ إِقَامَةٍ». أَخْرَجَهُ أَبُو دَاوُدَ ، وَأَصْلُهُ فِي الْبُخَارِيِّ .

517. Ibn 'Abbâs (RAA) narrated, 'The Messenger of Allâh ﷺ, offered the *'Îd* prayer without calling for the *Adhân or Iqâmah*.' Related by Abû Dawûd.

٥١٨ ــ وَعَــنْ أَبِــي سَعِيدٍ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : «كَانَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لاَ يُصَلِّي قَبْلَ الْعِيدِ شَيْئاً ، فَإِذَا رَجَعَ إِلَى مَنْزِلِهِ صَلَّى رَكْعَتَيْنِ». رَوَاهُ ابْنُ مَاجَه بِإِسْنَادٍ حَسَنٍ .

518. Abû Sa'îd (RAA) narrated, 'The Messenger of Allâh ﷺ never used to observe any prayer before the *'Îd* prayer, but when he returned home, he would pray two *rak'ât*.' Related by Ibn Mâjah with a good chain of narrators.

٥١٩ ــ وَعَنْهُ قَالَ : «كَانَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَخْرُجُ يَوْمَ الْفِطْرِ وَالأَضْحَى إِلَى الْمُصَلَّى ، وَأَوَّلُ شَيْءٍ يَبْدَأُ بِهِ الصَّلاَةُ ، ثُمَّ يَنْصَرِفُ فَيَقُومُ مُقَابِلَ النَّاسِ ، وَالنَّاسُ عَلَى صُفُوفِهِمْ ، فَيَعِظُهُمْ وَيَأْمُرُهُمْ» مُتَّفَقٌ عَلَيْهِ .

519. Abû Sa'îd (RAA) narrated, 'On the Days of *'Îdul Fitr* and

*´Îdul Ad-hâ,* the Messenger of Allâh ﷺ would go out to the praying place, and the first thing that he started with was the *´Îd* pra-0yer, and when he had finished he would stand facing the people, while the people were sitting in rows, and he would admonish them and advise them.' Agreed upon.

٥٢٠ ـــ وَعَنْ عَمْرِو بْنِ شُعَيْبٍ عَنْ أَبِيهِ عَنْ جَدِّهِ - رَضِيَ اللَّهُ عَنْهُمْ - قَالَ : قَالَ نَبِيُّ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «التَّكْبِيرُ فِي الْفِطْرِ سَبْعٌ فِي الأُولَى وَخَمْسٌ فِي الأُخْرَى ، وَالْقِرَاءَةُ بَعْدَهُمَا كِلْتَيْهِمَا». أَخْرَجَهُ أَبُو دَاوُدَ ، وَنَقَلَ التِّرْمِذِيُّ عَنْ الْبُخَارِيِّ تَصْحِيحَهُ .

520. ´Amro bin Shu´aib (RAA) on the authority of his father on the authority of his grandfather[168] (May Allâh be pleased with all of them), narrated, 'The Messenger of Allâh ﷺ would make seven *Takbîrât* in the first *rak´ah* of the *´Îd* prayer, and five *Takbîrât* in the second, and then he would start reciting the Qur'ân, after the *Takbîrât* in each *rak´ah*.' Related by Abû Dawûd.

٥٢١ ـــ وَعَنْ أَبِي وَاقِدٍ اللَّيْثِيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «كَانَ النَّبِيُّ يَقْرَأُ فِي الْفِطْرِ وَالأَضْحَى بِـ{قٓ} [ق : ١]، وَ{اقْتَرَبَتْ} [القَمَر : ١]. أَخْرَجَهُ مُسْلِمٌ .

521. Abû Wâqid Al-Laithî (RAA) narrated, 'The Messenger of Allâh ﷺ used to recite in the prayer of *´Îdul Ad-hâ*, ***"Qâf. By the Glorious Qur'ân" (sûrah no. 50:1)*** and ***"The Hour has drawn near, and the moon has been cleft asunder."(sûrah no. 54:1).*** Related by Muslim.

٥٢٢ ـــ وَعَنْ جَابِرٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِذَا كَانَ يَوْمُ الْعِيدِ خَالَفَ الطَّرِيقَ». أَخْرَجَهُ الْبُخَارِيُّ .

522. Jâbir (RAA) narrated, 'On the days of *´Îd,* the Messenger of Allâh ﷺ would take different routes (i.e. would go to the prayer in one way, and return home in another.' Related by Al-Bukhârî.

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168- He is ´Amro bin Shu´aib bin Muhammad bin ´Abdullâh bin ´Amro bin Al-´Âs.

٥٢٣ — وَلأَبِي دَاوُدَ عَنِ ابْنِ عُمَرَ نَحْوُهُ .

523. Abû Dawûd narrated a similar narration on the authority of Ibn 'Umar.

٥٢٤ — وَعَنْ أَنَسٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَدِمَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ الْمَدِينَةَ ، وَلَهُمْ يَوْمَانِ يَلْعَبُونَ فِيهِمَا ، فَقَالَ : «قَدْ أَبْدَلَكُمْ اللَّهُ بِهِمَا خَيْرًا مِنْهُمَا : يَوْمَ الأَضْحَى ، وَيَوْمَ الْفِطْرِ». أَخْرَجَهُ أَبُو دَاوُدَ ، وَالنَّسَائِيُّ بِإِسْنَادٍ صَحِيحٍ .

524. Anas (RAA) narrated, 'When the Messenger of Allâh ﷺ came to Madînah, they had two days of sport and amusement. The Prophet ﷺ said, **"Allâh, the Exalted has exchanged these days for two days better than them; the day of sacrifice** *('Îdul Ad-hâ)* **and the day of breaking the fast** *(Îdul Fitr)*.**"** Related by Abû Dawûd and an-Nasâ'î with a sound chain of narrators.

٥٢٥ — وَعَنْ عَلِيٍّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «مِنَ السُّنَّةِ أَنْ يَخْرُجَ إِلَى الْعِيدِ مَاشِيًا». رَوَاهُ التِّرْمِذِيُّ وَحَسَّنَهُ .

525. 'Alî (RAA) narrated, 'It is an act of the *Sunnah* of the Prophet ﷺ to go out to the *'Îd* prayer walking.' Related by At-Tirmidhî, who graded it as *Hasan* (good).

٥٢٦ — وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّهُمْ أَصَابَهُمْ مَطَرٌ فِي يَوْمِ عِيدٍ ، فَصَلَّى بِهِمُ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ صَلاَةَ الْعِيدِ فِي الْمَسْجِدِ». رَوَاهُ أَبُو دَاوُدَ بِإِسْنَادٍ لَيِّنٍ .

526. Abû Hurairah (RAA) narrated, 'It was raining on the day of *'Îd*, so the Prophet ﷺ led them in the *'Îd* prayer inside the mosque.'[169]

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169- It is preferable to pray the *'Îd* prayer in a place outside the city, in an open area, unless there is an excuse such as rain, in which case it could be prayed in the mosque. The Prophet ﷺ prayed the two *'Îd* prayers in the outskirts of Madînah.

## بَــابُ صَــلاَةِ الْكُسُــوفِ

## *Chapter XV: The Prayer During a Solar Eclipse*

٥٢٧ ـــ عَــن الْمُغِيرَةِ بْنِ شُعْبَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : انْكَسَفَتِ الشَّمْسُ عَلَى عَهْدِ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، يَوْمَ مَاتَ إِبْرَاهِيمُ ، فَقَالَ النَّاسُ : انْكَسَفَتِ الشَّـمْسُ لِمَـوْتِ إِبْرَاهِيمَ ، فَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِنَّ الشَّمْسَ وَالْقَمَـرَ آيَتَانِ مِنْ آيَاتِ اللَّهِ لاَ يَنْكَسِفَانِ لِمَوْتِ أَحَدٍ وَلاَ لِحَيَاتِهِ ، فَإِذَا رَأَيْتُمُوهَا ، فَـادْعُوا اللَّـهَ وَصَـلُّوا حَـتَّى تَنْكَشِـفَ». مُتَّفَقٌ عَلَيْهِ ، وَفِي رِوَايَةٍ لِلْبُخَارِيِّ : «حَتَّى تَنْجَلِي».

527. Al-Mughîrah bin Shu´bah (RAA) narrated, 'The sun eclipsed during the lifetime of the Messenger of Allâh ﷺ on the day when (his son) Ibrâhîm died. So, the people said that the sun had eclipsed because of the death of Ibrâhîm. Allâh's Messenger ﷺ said, **"The sun and the moon are two miracles created by Allâh. They do not eclipse for the death or life (i.e. birth) of anyone. Should you witness an eclipse of the sun or the moon, pray and invoke Allâh until it is over."** Agreed upon. In the narration of Al-Bukhârî, **"Until the eclipse is clear."**

٥٢٨ ـــ وَلِلْـبُخَارِيِّ ، مِنْ حَدِيثِ أَبِي بَكْرَةَ - رَضِيَ اللَّهُ عَنْهُ - : «فَصَلُّوا وَادْعُوا حَتَّى يَنْكَشِفَ مَا بِكُمْ».

528. Abû Bakrah (RAA) narrated, **"pray and invoke Allâh until the eclipse** (that you are witnessing) **is over."** Related by al-Bukhârî.

٥٢٩ ـــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - : أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ جَهَرَ فِي صَـلاَةِ الْكُسُـوفِ بِقِرَاءَتِهِ ، فَصَلَّى أَرْبَعَ رَكَعَاتٍ فِي رَكْعَتَيْنِ ، وَأَرْبَعَ سَجَدَاتٍ». مُتَّفَقٌ عَلَيْهِ ، وَهَذَا لَفْظُ مُسْلِمٍ .

وَفِي رِوَايَةٍ لَهُ : «فَبَعَثَ مُنَادِيًا يُنَادِي : الصَّلاَةُ جَامِعَةٌ».

529. ´Â'ishah (RAA) narrated,'The Messenger of Allâh ﷺ reci-

ted the Qur'ân aloud during the eclipse prayer. He performed four bowings in a total of two *rak´ât* (i.e. he performed the *rukû´* twice in each *rak´ah*), and prostrated four times (i.e. he made *Suj-ûd* twice in each *rak´ah*).'Agreed upon, and the wording is from Muslim. In another narration, he sent a man calling, 'prayer (is to be performed) in congregation.'

٥٣٠ ــ وَعَنْ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : «انْخَسَفَتِ الشَّمْسُ عَلَى عَهْدِ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَصَلَّى ، فَقَامَ قِيَامًا طَوِيلاً ، نَحْوًا مِنْ قِرَاءَةِ سُورَةِ الْبَقَرَةِ ، ثُمَّ رَكَعَ رُكُوعًا طَوِيلاً ، ثُمَّ رَفَعَ فَقَامَ قِيَامًا طَوِيلاً ، وَهُوَ دُونَ الْقِيَامِ الأَوَّلِ ، ثُمَّ رَكَعَ رُكُوعًا طَوِيلاً ، وَهُوَ دُونَ الرُّكُوعِ الأَوَّلِ ، ثُمَّ سَجَدَ ، ثُمَّ قَامَ قِيَامًا طَوِيلاً ، وَهُوَ دُونَ الْقِيَامِ الأَوَّلِ ، ثُمَّ رَكَعَ رُكُوعًا طَوِيلاً ، وهو دُونَ الرُّكُوعِ الأَوَّلِ ، ثُمَّ رَفَعَ ، فَقَامَ قِيَامًا طَوِيلاً ، وَهُوَ دُون الْقِيَامِ الأَوَّلِ ، ثُمَّ رَكَعَ رُكُوعًا طَوِيلاً ، وَهُوَ دُونَ الرُّكُوعِ الأَوَّلِ ، ثُمَّ رَفَعَ رَأْسَهُ ثُمَّ سَجَدَ ، ثُمَّ انْصَرَفَ ، وَقَدِ انْجَلَتِ الشَّمْسُ فَخَطَبَ النَّاسَ». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِلْبُخَارِيِّ .

وفي رِوَايَةٍ لِمُسْلِمٍ : «صَلَّى حِينَ كُسِفَتِ الشَّمْسُ ثَمَانِيَ رَكَعَاتٍ فِي أَرْبَعِ سَجَدَاتٍ .

530. Ibn ´Abbâs (RAA) narrated, 'The sun eclipsed during the lifetime of the Prophet ﷺ and he prayed the eclipse prayer. He made a lengthy standing, similar to (the time that it takes to) recite *Sûrah al-Baqarah* (*Sûrah* no. 2). Then he made a long *rukû´*, after which he stood and made another long recital, but shorter than the first one. Again he went into a long *rukû´*, but for a shorter time than the first one. Following this, he prostrated (twice). Next he made another long standing with a long recital, but not as long as the first one. After that, he made another lengthy *rukû´* but it was not as long as the first one. Then he made another lengthy *rukû´* but it was not as long as the first one. After which he made another long recital but it was not as long as the first one. Again, he made another lengthy *rukû´* but it was shorter than the previous one. Following this, he went into *sujûd* (prostration, twice). By the time he finished, the sun had appeared, and he started to address the people.' Agreed upon, and the wording is from Al-Bukhârî'.

In a narration by Muslim, 'When the sun eclipsed, he made ﷺ eight bowings in two *rak'ât* (i.e. he performed *rukû' four times* in each *rak'ah*), and prostrated four times (i.e. he made *sujûd* twice in each *rak'ah*).'[170]

٥٣١ ـــ وَعَنْ عَلِيٍّ – رَضِيَ اللَّهُ عَنْهُ – مِثْلُ ذَلِكَ».

531. Imâm Muslim transmitted a similar narration on the authority of 'Alî (RAA).

٥٣٢ ـــ وَلَهُ عَنْ جَابِرٍ : «صَلَّى سِتَّ رَكَعَاتٍ بِأَرْبَعِ سَجَدَاتٍ».

532. Muslim also transmitted the following on the authority of Jâbir (RAA), 'The Messenger of Allâh ﷺ performed six bowings and four prostrations (in two *rak'ât*).'

٥٣٣ ـــ وَلأَبِي دَاوُدَ عَنْ أُبَيِّ بْنِ كَعْبٍ – رَضِيَ اللَّهُ عَنْهُ – : «صَلَّى ، فَرَكَعَ خَمْسَ رَكَعَاتٍ ، وَسَجَدَ سَجْدَتَيْنِ ، وَفَعَلَ فِي الثَّانِيَةِ مِثْلَ ذَلِكَ».

533. Ubay bin Ka'b (RAA) narrated, 'The Messenger of Allâh ﷺ performed the eclipse prayer, and he made five bowings and two prostrations (in the first *rak'ah*), and did the same in the second.' Related by Abû Dawûd.

٥٣٤ ـــ وَعَنِ ابْنِ عَبَّاسٍ – رَضِيَ اللَّهُ عَنْهُمَا – قَالَ : مَا هَبَّتِ الرِّيحُ قَطُّ إِلاَّ جَثَا النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَلَى رُكْبَتَيْهِ ، وَقَالَ : «اللَّهُمَّ اجْعَلْهَا رَحْمَةً وَلاَ تَجْعَلْهَا عَذَابًا». رَوَاهُ الشَّافِعِيُّ ، وَالطَّبَرَانِيُّ .

534. Ibn 'Abbâs (RAA) narrated, 'No wind has ever blown, except that the Prophet ﷺ would go down on his knees and say, **"O Allâh, make it a mercy for us and do not make it as a punishment."** Related by Ash-Shâfi'î and At-Tabarânî.

٥٣٥ ـــ وَعَنْهُ – رَضِيَ اللَّهُ عَنْهُ – : «أَنَّهُ صَلَّى فِي زَلْزَلَةٍ سِتَّ رَكَعَاتٍ ، وَأَرْبَعَ سَجَدَاتٍ ، وَقَالَ : «هَكَذَا صَلاَةُ الآيَاتِ». رَوَاهُ الْبَيْهَقِيُّ .

170- Some scholars are of the opinion that the eclipse prayer is performed in this way.

وَذَكَرَ الشَّافِعِيُّ عَنْ عَلِيِّ بْنِ أَبِي طَالِبٍ - رَضِيَ اللَّهُ عَنْهُ - مِثْلَهُ دُونَ آخِرِهِ .

535. Ibn 'Abbâs (RAA) narrated that the Prophet ﷺ made six bowings and four prostrations (in two *rak'ât*), when an earthquake occurred and said, **"This is the prayer** (to be performed) **when one of the signs of Allâh** (such as an eclipse, an earthquake etc..) **occurs."** Related by Al-Baihaqî.

Imâm Ash-Shâfi'î transmitted a similar narration, excluding the last part, on the authority of 'Alî (RAA).

## بَابُ صَلاَةِ الإِسْتِسْقَاءِ

## *Chapter XVI: The Istisqâ' Prayer (invoking Allâh for rain during drought)*

٥٣٦ ـ عَنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : «خَرَجَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ مُتَوَاضِعًا ، مُتَبَذِّلاً ، مُتَخَشِّعًا ، مُتَرَسِّلاً ، مُتَضَرِّعًا ، فَصَلَّى رَكْعَتَيْنِ ، كَمَا يُصَلِّي فِي الْعِيدِ ، لَمْ يَخْطُبْ خُطْبَتَكُمْ هَذِهِ». رَوَاهُ الْخَمْسَةُ ، وَصَحَّحَهُ التِّرْمِذِيُّ ، وَأَبُو عَوَانَةَ ، وَابْنُ حِبَّانَ .

536. Ibn 'Abbâs (RAA) narrated, 'The Messenger of Allâh ﷺ went out (to make the *Istisqâ'* prayer) wearing old clothes, in a humble and submissive manner, walking slowly, invoking Allâh (in humility) and prayed two *rak'ât*, as he prayed the *'Îd* prayer, but he did not give a similar *Khutbah* (like the one he delivers on the *'Îd* day).' Related by the five Imâms. At-Tirmidhî, Abû 'Awânah and Ibn Hibbân graded it as *Sahîh*.

٥٣٧ ـ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : شَكَا النَّاسُ إِلَى رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قُحُوطَ الْمَطَرِ ، فَأَمَرَ بِمِنْبَرٍ ، فَوُضِعَ لَهُ بِالْمُصَلَّى ، وَوَعَدَ النَّاسَ يَوْمًا يَخْرُجُونَ فِيهِ ، فَخَرَجَ حِينَ بَدَا حَاجِبُ الشَّمْسِ ، فَقَعَدَ عَلَى الْمِنْبَرِ ، فَكَبَّرَ وَحَمِدَ اللَّهَ ، ثُمَّ قَالَ : «إِنَّكُمْ شَكَوْتُمْ جَدْبَ دِيَارِكُمْ ، وَقَدْ أَمَرَكُمُ اللَّهُ أَنْ تَدْعُوهُ ، وَوَعَدَكُمْ أَنْ يَسْتَجِيبَ لَكُمْ» ، ثُمَّ قَالَ : «{الْحَمْدُ لِلَّهِ رَبِّ الْعَالَمِينَ * الرَّحْمَنِ الرَّحِيمِ * مَالِكِ يَوْمِ الدِّينِ} ، لاَ إِلَهَ إِلاَّ اللَّهُ يَفْعَلُ مَا يُرِيدُ ، اللَّهُمَّ أَنْتَ اللَّهُ ، لاَ إِلَهَ إِلاَّ

أَنْتَ ، أَنْتَ الْغَنِيُّ وَنَحْنُ الْفُقَرَاءُ ، أَنْزِلْ عَلَيْنَا الْغَيْثَ ، وَاجْعَلْ مَا أَنْزَلْتَ عَلَيْنَا قُوَّةً وَبَلاَغًا إِلَى حِينٍ» ، ثُمَّ رَفَعَ يَدَيْهِ ، فَلَمْ يَزَلْ حَتَّى رُئِيَ بَيَاضُ إِبْطَيْهِ ، ثُمَّ حَوَّلَ إِلَى النَّاسِ ظَهْرَهُ ، وَقَلَبَ رِدَاءَهُ ، وَهُوَ رَافِعٌ يَدَيْهِ ، ثُمَّ أَقْبَلَ عَلَى النَّاسِ وَنَزَلَ ، فَصَلَّى رَكْعَتَيْنِ ، فَأَنْشَأَ اللَّهُ - تَعَالَى - سَحَابَةً ، فَرَعَدَتْ ، وَبَرَقَتْ ، ثُمَّ أَمْطَرَتْ .

رَوَاهُ أَبُو دَاوُدَ ، وَقَالَ : غَرِيبٌ وَإِسْنَادُهُ جَيِّدٌ .

537. ´Â'ishah (RAA) narrated, 'The people complained to the Messenger of Allâh ﷺ about the lack of rain, so he gave orders for a pulpit to be set up for him in the place of prayer. He then appointed a day for the people to gather and he came out on that day when the sun had just appeared. The Messenger of Allâh ﷺ sat down on the pulpit, said *Takbîr* and praised Allâh. Then he said, **"You have complained of drought in your areas, but you have been ordered by Allâh to supplicate Him and He has promised that He would answer your prayers." Then he said: "All praise is for Allâh, the Compassionate, the Merciful, the Only Owner of the Day of Judgment. There is no God but Allâh Who does what He wishes. O Allâh, there is no God except You! You are the Self-sufficient and we are the needy. Send down rain upon us and make it a source of strength for us and satisfaction.'** He then raised his hands and kept raising them until the whiteness of his armpits could be seen. After that he turned his back to the people and turned his cloak around[171], keeping his hands raised, then he faced the people, descended from the pulpit and prayed two *rak´ât*. Allâh, the Almighty then sent a cloud which produced thunder and lightening, and by Allâh's permission, it rained." Related by Abû Dawûd, who said that its chain of narrators is good.

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171- In a narration by Al-Bukhârî, on the authority of ´Abdullâh Ibn Zaid, 'The Prophet ﷺ turned his outer garments around, placing its left side on his right side and vice versa.' Scholars say that the wisdom here is the favorable omen of a change of state. It seems that the Prophet ﷺ was optimistic that by turning round his cloak, the state of drought would turn into that of rain and prosperity.

٥٣٨ ـــ وَقِصَّـــةُ التَّحْوِيلِ فِي الصَّحِيحِ مِنْ حَدِيثِ عَبْدِ اللَّهِ بْنِ زَيْدٍ ، وَفِيهِ : فَتَوَجَّهَ إِلَى الْقِبْلَةِ يَدْعُو ، ثُمَّ صَلَّى رَكْعَتَيْنِ جَهَرَ فِيهِمَا بِالْقِرَاءَةِ .

538. The story of turning the garment is mentioned in Sahîh Al-Bukhârî on the authority of ʿAbdullâh Ibn Zaid, who said, 'The Messenger of Allâh ﷺ turned towards the *Qiblah* and started invoking Allâh, then he prayed two *rakʿât* reciting the Qur'ân aloud.'

٥٣٩ ـــ وَلِلدَّارَقُطْنِيِّ مِنْ مُرْسَلِ أَبِي جَعْفَرٍ الْبَاقِرِ: «وَحَوَّلَ رِدَاءَهُ لِيَتَحَوَّلَ الْقَحْطُ».

539. Abû Jaʿfar al-Bâqir (RAA) narrated, 'and he turned his garment ﷺ for the drought to turn away.' Related by Ad-*Dâraqutnî*, and it was reported to be *Hadîth Mursal* (that in which the link between the Successor *(Tâbiʿî)* and the Prophet ﷺ, i.e. the companion is missing).

٥٤٠ ـــ وَعَـــنْ أَنَسٍ أَنَّ رَجُلاً دَخَلَ الْمَسْجِدَ يَوْمَ الْجُمُعَةِ ، وَالنَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ قَائِمٌ يَخْطُبُ ، فَقَالَ : يَا رَسُولَ اللَّهِ ، هَلَكَتِ الأَمْوَالُ ، وَانْقَطَعَتِ السُّبُلُ ، فَادْعُ اللَّهَ - عَزَّ وَجَلَّ - يُغِيثُنَا ، فَرَفَعَ يَدَيْهِ ، ثُمَّ قَالَ : «اللَّهُمَّ أَغِثْنَا ، اللَّهُمَّ أَغِثْنَا» ، فَذَكَرَ الْحَدِيثَ ، وَفِيهِ الدُّعَاءُ بِإِمْسَاكِهَا ، مُتَّفَقٌ عَلَيْهِ .

540. Anas (RAA) narrated, 'A man entered the mosque on Friday while the Prophet ﷺ was standing delivering the *Khutbah*. The man said, "O Messenger of Allâh, our wealth has been destroyed and we no longer have any transport.[172] Supplicate Allâh for us to have rain. The Prophet ﷺ raised his hands and said, **"O Allâh, give us rain. O Allâh, give us rain. O Allâh, give us rain."** Anas said, 'By Allâh, at that time there were no clouds in the sky and there was no house or building between the mountain and us. From behind the mountain came a cloud that looked like a shield. By the time it reached the middle of the sky it started to pour with rain. By Allâh we did not see the sun for a week. On the following Friday, a man entered the mosque from that (same) door

172- In another narration 'livestock are dying', which may account for the lack of transport.

while the Prophet ﷺ was standing delivering the *Khuṭbah* and said, 'Our livestock are dead and the roads are cut off (due to torrential rain). Ask Allâh to make it stop.' The Prophet ﷺ raised his hands and said, **"O Allâh, around us and not upon us. O Allâh, make it upon the hills, small mountains, bottom of the valleys, and plantations."** The rain stopped and we walked out in the sunshine.' Agreed upon.

٥٤١ ــ وَعَنْهُ أَنَّ عُمَرَ - رَضِيَ اللَّهُ عَنْهُ - : «كَانَ إِذَا قُحِطُوا اسْتَسْقَى بِالْعَبَّاسِ بْنِ عَبْدِ الْمُطَّلِبِ ، وَقَالَ : اللَّهُمَّ إِنَّا كُنَّا نَسْتَسْقِي إِلَيْكَ بِنَبِيِّنَا فَتَسْقِينَا ، وَإِنَّا نَتَوَسَّلُ إِلَيْكَ بِعَمِّ نَبِيِّنَا فَاسْقِنَا ، فَيُسْقَوْنَ». رَوَاهُ الْبُخَارِيُّ .

541. Anas (RAA) narrated, 'Whenever drought threatened them, ´Umar Ibnul Khaṯṯâb used to ask Al-´Abbâs ibn ´Abdul Muṯṯalib to invoke Allâh for rain. He used to say, 'O Allâh! We used to ask our Prophet ﷺ to invoke You for rain, and You would bless us with rain, and now we ask his uncle to invoke You for rain. O Allâh! Bless us with rain.' And so it would rain. Related by Al-Bukhârî.

٥٤٢ ــ وَعَنْهُ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : أَصَابَنَا وَنَحْنُ مَعَ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ مَطَرٌ قَالَ : فَحَسَرَ ثَوْبَهُ ، حَتَّى أَصَابَهُ مِنَ الْمَطَرِ ، وَقَالَ : «إِنَّهُ حَدِيثُ عَهْدٍ بِرَبِّهِ». رَوَاهُ مُسْلِمٌ .

542. Anas (RAA) narrated, 'A shower of rain fell when we were with the Prophet ﷺ. He lifted up his clothes(uncovering part of his body to the rain), until the rain fell on him. We said, 'Messenger of Allâh, why did you do this?' He said, **"Because it has just come from Allâh, the Exalted."** Related by Muslim.

٥٤٣ ــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ إِذَا رَأَى الْمَطَرَ قَالَ : «اللَّهُمَّ صَيِّبًا نَافِعًا». أَخْرَجَاهُ .

543. ´Â'ishah (RAA) narrated, 'Whenever the Prophet ﷺ saw the rain, he used to say, **"O Allâh! Make it beneficial."** Agreed upon.

٥٤٤ ـــ وَعَـــنْ سَـــعْدٍ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ دَعَا فِي الإِسْتِسْقَاءِ : «اللَّهُمَّ جَلِّلْنَا سَحَابًا ، كَثِيفًا ، قَصِيفًا ، دَلُوقًا ، ضَحُوكًا ، تُمْطِرُنَا مِنْهُ رَذَاذًا ، قِطْقِطًا ، سَجْلاً ، يَا ذَا الْجَلاَلِ وَالإِكْرَامِ». رَوَاهُ أَبُو عَوَانَةَ فِي صَحِيحِهِ .

544. Sa´d (RAA) narrated, 'The Messenger of Allâh ﷺ would supplicate for *Istisqâ'* saying, **"O Allâh, let us be covered with thick clouds that have abundant and beneficial rain, that is accompanied by a strong sound of thunder** (which is a sign of strong rain), **frequently making light rain fall upon us and surrounding us with lightning. O Allâh, You are full of majesty, bounty and Honor."** Related by Abû ´Awânah in his Sahîh.

٥٤٥ ـــ وَعَـــنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «خَرَجَ سُلَيْمَانُ - عَلَيْهِ السَّلاَمُ - يَسْتَسْقِي ، فَرَأَى نَمْلَةً مُسْتَلْقِيَةً عَلَى ظَهْرِهَا رَافِعَةً قَوَائِمَهَا إِلَى السَّمَاءِ تَقُولُ: اللَّهُمَّ إِنَّا خَلْقٌ مِنْ خَلْقِكَ ، لَيْسَ بِنَا غِنًى عَنْ سُقْيَاكَ فَقَالَ : ارْجِعُوا فَقَدْ سُقِيتُمْ بِدَعْوَةِ غَيْرِكُمْ». رَوَاهُ أَحْمَدُ ، وَصَحَّحَهُ الْحَاكِمُ.

545. Abû Hurairah (RAA) narrated, 'The Messenger of Allâh ﷺ said, **"Prophet Sulaimân** عليه السلام **went out invoking Allâh for rain. He saw an ant lying on its back raising its legs up to the sky saying, 'O Allâh! We are creatures amongst Your creatures. We can not live without Your rain.' Prophet Sulaimân then said, 'Go back, for it has rained in response to the invocation of others (than you).'** Related by Ahmad.

٥٤٦ ـــ وَعَنْ أَنَسٍ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ اسْتَسْقَى فَأَشَارَ بِظَهْرِ كَفَّيْهِ إِلَى السَّمَاءِ». أَخْرَجَهُ مُسْلِمٌ .

546. Anas (RAA) narrated that the Messenger of Allâh ﷺ sup-plicated Allâh for rain and he pointed with the back of his hand to the sky.' Related by Muslim.

# بَــابُ اللِّبَــاسِ

## *Chapter XVII: Clothing*

٥٤٧ ـــ عَــنْ أَبِي عَامِرٍ الأَشْعَرِيِّ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّــهُ عَلَــيْهِ وَسَــلَّمَ : «لَــيَكُونَنَّ مِنْ أُمَّتِي أَقْوَامٌ يَسْتَحِلُّونَ الْحِرَ وَالْحَرِيرَ». رَوَاهُ أَبُو دَاوُدَ ، وَأَصْلُهُ فِي الْبُخَارِيِّ .

547. Abû ʿÂmir al-Ashʿarî (RAA) narrated, 'The Messenger of Allâh said, **"There will be among my followers, some people who will make *Halâl* (lawful) a woman's vagina** (i.e. adultery) **and silk** (which is forbidden for men)**."** Related by Abû Dawûd and Al-Bukhârî.

٥٤٨ ـــ وَعَــنْ حُذَيْفَةَ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : «نَهَى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ أَنْ نَشْــرَبَ فِي آنِيَةِ الذَّهَبِ وَالفِضَّةِ ، وَأَنْ نَأْكُلَ فِيهَا ، وَعَنْ لُبْسِ الْحَرِيرِ وَالدِّيبَاجِ ، وَأَنْ نَجْلِسَ عَلَيْهِ» رَوَاهُ الْبُخَارِيُّ .

548. Abû Hudhaifah Ibn Al-Yamân (RAA) narrated, 'The Messenger of Allâh ﷺ prohibited us from eating and drinking from gold and silver vessels. He also forbade us from wearing clothes made of silk or brocade (i.e. the men but it is lawful for women) or to sit on them.' Related by Al-Bukhârî and Muslim).

٥٤٩ ـــ وَعَــنْ عُمَــرَ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : «نَهَى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ عَــنْ لُبْسِ الْحَرِيرِ إِلاَّ مَوْضِعَ إِصْبَعَيْنِ ، أَوْ ثَلاَثٍ ، أَوْ أَرْبَعٍ». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِمُسْلِمٍ .

549. ʿUmar (RAA) narrated, 'The Messenger of Allâh ﷺ prohibited (men) from wearing silk, except for the size of two, three or four fingers.'[173] Agreed upon and the wording is from Muslim.

173- It is only permissible for men to wear a garment embroidered with silk thread, the maximum size of such a design should not exceed the size of four fingers, or that the whole garment could include a piece of silk not exceeding that size.

٥٥٠ ــ وَعَــنْ أَنَسٍ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ رَخَّصَ لِعَــبْدِ الرَّحْمَنِ بْنِ عَوْفٍ ، وَالزُّبَيْرِ فِي قَمِيصِ الْحَرِيرِ ، فِي سَفَرٍ ، مِنْ حِكَّةٍ كَانَتْ بِهِمَا». مُتَّفَقٌ عَلَيْهِ .

550. Anas (RAA) narrated, 'The Messenger of Allâh ﷺ gave permission to ʿAbdur Rahmân bin ʿAuf and Az-Zubair to sear silk clothing on a journey, as they were suffering from a skin irritation.' Agreed upon.

٥٥١ ــ وَعَنْ عَلِيٍّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «كَسَانِي النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ حُلَّــةً سِيَرَاءَ ، فَخَرَجْتُ فِيهَا ، فَرَأَيْتُ الْغَضَبَ فِي وَجْهِهِ ، فَشَقَقْتُهَا بَيْنَ نِسَائِي». مُتَّفَقٌ عَلَيْهِ ، وَهَذَا لَفْظُ مُسْلِمٍ .

551. ʿAlî (RAA) narrated, 'The Messenger of Allâh ﷺ sent me a garment striped with silk (or made of pure silk, which is more likely) so I went out wearing it. I saw the Prophet ﷺ and he looked very angry (when seeing me wearing it), so I cut it up (and divided it) among my female (relatives).'[174] Agreed upon and the wording is from Muslim.

٥٥٢ ــ وَعَنْ أَبِي مُوسَى - رَضِيَ اللَّهُ عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَــالَ : «أُحِلَّ الذَّهَبُ وَالْحَرِيرُ لِإِنَاثِ أُمَّتِي ، وَحُرِّمَ عَلَى ذُكُورِهَا». رَوَاهُ أَحْمَدُ ، وَالنَّسَائِيُّ ، وَالتِّرْمِذِيُّ وَصَحَّحَهُ .

552. Abû Mûsâ (RAA) narrated that the Messenger of Allâh ﷺ said, **"Gold and silk are Halâl (lawful) for the females among my nation, but prohibited for the males."** Related by Ahmad, An-Nasâ'î and At-Tirmidhî.

٥٥٣ ــ وَعَــنْ عِمْــرَانَ بْــنِ حُصَــيْنٍ - رَضِــيَ اللَّهُ عَنْهُ - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «إِنَّ اللَّهَ يُحِبُّ إِذَا أَنْعَمَ عَلَى عَبْدِهِ نِعْمَةً أَنْ يَرَى أَثَرَ نِعْمَتِهِ عَلَيْهِ».

174- In another narration, he divided it into three head covers, which he gave to the three Fatimas (i.e. His wife Fâtimah the daughter of the Prophet ﷺ, his mother Fâtimah bint Asad and Fâtimah bint Hamzah, his cousin.

رَوَاهُ الْبَيْهَقِيُّ .

553. ´Imrân bin Husain (RAA) narrated that the Messenger of Allâh ﷺ said, **"When Allâh bestows one of His favors upon a slave, He likes to see its effect on him."**[175] Related by Al-Baihaqî.

٥٥٤ ـــ وَعَنْ عَلِيٍّ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ نَهَى عَنْ لُبْسِ الْقَسِّيِّ وَالْمُعَصْفَرِ». رَوَاهُ مُسْلِمٌ .

554. ´Alî (RAA) narrated, 'The Messenger of Allâh ﷺ prohibited (men from) wearing *Qassei* (a kind of fabric made of silk or striped with silk,[176] which is brought from Egypt and Syria) or any clothing dyed with saffron.' Related by Muslim.

٥٥٥ ـــ وَعَنْ عَبْدِ اللَّهِ بْنِ عَمْرٍو - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : رَأَى عَلَيَّ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ثَوْبَيْنِ مُعَصْفَرَيْنِ ، فَقَالَ : «أُمُّكَ أَمَرَتْكَ بِهَذَا ؟». رَوَاهُ مُسْلِمٌ .

555. ´Abdullâh bin ´Amro (RAA) narrated, "The Messenger of Allâh ﷺ saw me wearing two garments dyed with saffron. Thereupon he said to me,**"Has your mother ordered you to do so?"**[177] Related by Muslim.

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175- This means that one should eat and wear clothes, which reflects his average income, as this is a way of acknowledging the grace of Allâh upon him and also if a poor person sees him looking respectable, he would be encouraged to ask him for help. (Imâm as-San´ânî in *Subul as-Salâm; the interpretation of Bulûgh al-Marâm*) .

176- It is definitely prohibited if the percentage of silk is very high, otherwise it is disliked to wear it if there is a small amount.

177- This comment from the Prophet ﷺ indicates that dying clothes with saffron is absolutely prohibited for men, and he mentioned the mother because it is usual for women to use it to decorate their clothing. This is also supported by the rest of the narration in Muslim, in which the Prophet ﷺ commanded him to burn the two garments when ´Amro asked him if he should wash them.

٥٥٦ ــ وَعَــنْ أَسْــمَاءَ بِنْــتِ أَبِي بَكْرٍ - رَضِيَ اللَّهُ عَنْهُمَا - : «أَنَّهَا أَخْرَجَتْ جُــبَّةَ رَسُــولِ اللَّــهِ صَــلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، مَكْفُوفَةَ الْجَيْبِ وَالْكُمَّيْنِ وَالْفَرْجَيْنِ بِالدِّيــبَاجِ». رَوَاهُ أَبُو دَاوُدَ ، وَأَصْلُهُ فِي مُسْلِمٍ ، وَزَادَ : «كَانَتْ عِنْدَ عَائِشَةَ حَتَّى قُبِضَــتْ ، فَقَبَضْــتُهَا ، وَكَانَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَلْبَسُهَا ، فَنَحْنُ نَغْسِلُهَا لِلْمَرْضَــى يُسْتَشْــفَى بِهَــا». وَزَادَ الْبُخَارِيُّ فِي الأَدَبِ الْمُفْرَدِ :«وَكَانَ يَلْبَسُهَا ، لِلْوَفْدِ وَالْجُمُعَةِ».

556. Asmâ' bint Abî Bakr (RAA) reported that she brought out the cloak of the Prophet ﷺ and it had a brocade fringe on the collar, sleeves, and the front and back openings. Related by Abû Dawûd, and Muslim who added, ''Â'ishah (RAA) had it until she died, then I took it. The Prophet ﷺ used to wear it, and now we wash it and use it (or the washing) for the sick, seeking a cure (by virtue of its blessing as it touched the body of the Prophet ﷺ).' Al-Bukhârî added to the above narration in his book '*Al-Adab al-Mufrad*', 'He ﷺ used to wear it for (meeting with) delegations and for the Friday prayer.'

# كِتَـــابُ الْجَنَـــائِـــزِ

## *Book III: Funerals*

٥٥٧ ــ عَــنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ : «أَكْــثِرُوا ذِكْــرَ هَادِمِ اللَّذَّاتِ ، الْمَوْتِ». رَوَاهُ التِّرْمِذِيُّ ، والنَّسَائِيُّ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

557. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"Remember, as much as you can, the one thing** (fact or reality) **which** (always) **brings an end to all worldly joys and pleasures,** (meaning death)." Related by At-Tirmidhî, An-Nasâ'î and Ibn Hibbân.

٥٥٨ ــ وَعَــنْ أَنَــسٍ - رَضِــيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ : «لاَ يَتَمَنَّيَنَّ أَحَدُكُمُ الْمَوْتَ لِضُرٍّ نَزَلَ بِهِ ، فَإِنْ كَانَ لاَ بُدَّ مُتَمَنِّيًا فَلْيَقُلْ : اللَّهُــمَّ أَحْيِــنِي مَــا كَانَتْ الْحَيَاةُ خَيْرًا لِي ، وَتَوَفَّنِي مَا كَانَتْ الْوَفَاةُ خَيْرًا لِي». مُتَّفَقٌ عَلَيْهِ .

558. Anas (RAA) narrated that the Messenger of Allâh ﷺ said, **"None of you should wish for death due to any affliction, which might have affected him. But if he feels compelled to wish for it** (due to extreme distress that he feels he cannot bear), **he should say: "O Allâh! Grant me life as long as life is better for me, and let me die when death is better for me."** Agreed upon.

٥٥٩ ــ وَعَــنْ بُــرَيْدَةَ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «الْمُؤْمِنُ يَمُوتُ بِعَرَقِ الْجَبِينِ». رَوَاهُ الثَّلاَثَةُ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

559. Buraidah (RAA) narrated that the messenger of Allâh ﷺ

said, **"The believer dies while his forehead is sweating."**[178] Related by the three Imâms.

٥٦٠ ـــ وَعَنْ أَبِي سَعِيدٍ وَأَبِي هُرَيْرَةَ – رَضِيَ اللَّهُ عَنْهُمَا – قَالاَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لَقِّنُوا مَوْتَاكُمْ لاَ إِلَهَ إِلاَّ اللَّهُ». رَوَاهُ مُسْلِمٌ ، وَالأَرْبَعَةُ .

560. Abû Sa´îd and Abû Hurairah (RAA) narrated that the messenger of Allâh ﷺ said, **"Remind those who are on their death bed of the *Shahâdah* "*Lâ Ilâha illal-âh.*"** (for them to say it, hoping it will be their last words)."[179]

٥٦١ ـــ وَعَـــنْ مَعْقِـــلِ بْنِ يَسَارٍ أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «اقْرَأُوا عَلَى مَوْتَاكُمْ يس~». رَوَاهُ أَبُو دَاوُدَ ، وَالنَّسَائِيُّ ، وَصَحَّحَهُ ابْنُ حِبَّانِ .

561. Ma´qil bin Yasâr (RAA) narrated that the messenger of Allâh ﷺ said, **"Recite Yâsîn (Sûrah no. 36), over those who are dying."** Related by Abû Dawûd, An-Nasâ'î and Ibn Hibbân graded it as *Sahîh*.

٥٦٢ ـــ وَعَـــنْ أُمِّ سَلَمَةَ – رَضِيَ اللَّهُ عَنْهَا – قَالَتْ : دَخَلَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَـــيْهِ وَسَلَّمَ عَلَى أَبِي سَلَمَةَ ، وَقَدْ شُقَّ بَصَرُهُ ، فَأَغْمَضَهُ ، ثُمَّ قَالَ : «إِنَّ الرُّوحَ إِذَا قُـــبِضَ اتَّـــبَعَهُ الْبَصَرُ». فَضَجَّ نَاسٌ مِنْ أَهْلِهِ ، فَقَالَ : «لاَ تَدْعُوا عَلَى أَنْفُسِكُمْ إِلاَّ بِخَـــيْرٍ ، فَإِنَّ الْمَلاَئِكَةَ تُؤَمِّنُ عَلَى مَا تَقُولُونَ». ثُمَّ قَالَ : «اللَّهُمَّ اغْفِرْ لأَبِي سَلَمَةَ ،

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178- *Imâm* as-San´ânî *in 'Subul as-Salâm'*, says that this refers to one of two things; one is that when the believer is on his death bed, he would be sweating due to his suffering in the last moments when his soul is about to leave his body; this suffering is the last thing that will expiate what is left of his sins. The other thing, the Prophet ﷺ could be referring to is the life of the believer in which he is always working hard to gain his halâl earnings, fasting, praying to prepare for the Hereafter, and so he meets Allâh, the Almighty when he is still sweating.

179- Scholars say that it is recommended to remind those who are on their death bed of the *Shahâdah*, for him to say it, but they disliked insisting or telling him, 'Say....', lest the dying person becomes irritated or gets more upset due to what he is going through and then utters something which he should not say.

وَارْفَعْ دَرَجَتَهُ فِي الْمَهْدِيِّينَ ، وَافْسَحْ لَهُ فِي قَبْرِهِ ، وَنَوِّرْ لَهُ فِيهِ وَاخْلُفْهُ فِي عَقِبِهِ». رَوَاهُ مُسْلِمٌ .

562. Umm Salamah (RAA) narrated, 'The Messenger of Allah ﷺ came to see Abû Salamah when his sight had become fixed (with his eyes open, as he had already passed away). So the Prophet ﷺ, closed his eyes and said, **"When the soul is seized and leaves the body, the sight follows it.'** Some of Abû Salamah's family wept and wailed, whereupon the Messenger of Allâh ﷺ said to them, **'Do not supplicate to Allâh anything except that which is good for you** (i.e. do not say anything which goes against you at that moment), **because the angels** (who are present at the time of death), **say "Amîn"** (asking Allâh to accept your invocation) **to whatever you say."** Then he said, **"O Allâh! Forgive Abû Salamah, raise his status among (Your) rightly guided servants, make his grave spacious, and fill it with light for him, and be his successor in taking good care of his descendants whom he has left behind,** (and make them pious)." Related by Muslim.

٥٦٣ ـ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ حِينَ تُوُفِّيَ - سُجِّيَ بِبُرْدٍ حِبَرَةٍ». مُتَّفَقٌ عَلَيْهِ .

563. 'Â'ishah (RAA) narrated, 'When the Messenger of Allâh ﷺ died, he was covered with a Yemeni mantle that had some designs on it.' Agreed upon.

٥٦٤ ـ وَعَنْهَا : «أَنَّ أَبَا بَكْرٍ - رَضِيَ اللَّهُ عَنْهُ - قَبَّلَ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بَعْدَ مَوْتِهِ». رَوَاهُ الْبُخَارِيُّ .

564. 'Â'ishah (RAA) reported that Abû Bakr kissed the Prophet ﷺ after he had died.' Related by Al-Bukhârî.

٥٦٥ ـ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «نَفْسُ الْمُؤْمِنِ مُعَلَّقَةٌ بِدَيْنِهِ ، حَتَّى يُقْضَى عَنْهُ». رَوَاهُ أَحْمَدُ ، وَالتِّرْمِذِيُّ ، وَحَسَّنَهُ .

565. Abû Hurairah (RAA) narrated that the Messenger of

Allâh ﷺ said, **"A believer's soul remains suspended according to his debt until it is settled or paid off on his behalf."** Related by Ahmad and At-Tirmidhî.

٥٦٦ ــ وَعَــنِ ابْــنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَــالَ : فِــي الَّذِي سَقَطَ عَنْ رَاحِلَتِهِ فَمَاتَ - :«اغْسِلُوهُ بِمَاءٍ وَسِدْرٍ، وَكَفِّنُوهُ فِي ثَوْبَيْهِ». مُتَّفَقٌ عَلَيْهِ .

566. Ibn 'Abbâs (RAA) narrated that the Messenger of Allâh ﷺ said concerning the man who fell off his mount and died during Hajj, **"Wash him with water and *Sidr* (lotus leaves) and shroud him in his two garments** (that he was wearing for Ihrâm)." Agreed upon.

٥٦٧ ــ وَعَــنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «لَمَّا أَرَادُوا غُسْلَ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالُوا : وَاللَّهِ مَا نَدْرِي ، نُجَرِّدُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَمَا نُجَرِّدُ مَوْتَانَا ، أَمْ لاَ ؟». الْحَدِيثَ . رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ .

567. 'Â'ishah (RAA) narrated, 'When the Messenger of Allâh ﷺ died and they wanted to make *Ghusl* (full ritual washing of the body), they said,'By Allâh we do not know whether we should take off the clothes of Allâh's Messenger ﷺ as we do for our dead or not?' Related by Ahmad and Abû Dawûd.[180]

٥٦٨ ــ وَعَنْ أُمِّ عَطِيَّةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : دَخَلَ عَلَيْنَا النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَنَحْنُ نُغَسِّلُ ابْنَتَهُ ، فَقَالَ : «اغْسِلْنَهَا ثَلاثًا ، أَوْ خَمْسًا ، أَوْ أَكْثَرَ مِنْ ذَلِكَ ، إِنْ رَأَيْتُنَّ ذَلِكَ ، بِمَاءٍ وَسِدْرٍ ، وَاجْعَلْنَ فِي الأَخِيرَةِ كَافُورًا ، أَوْ شَيْئًا مِنْ كَافُورٍ» ،

180- The rest of the *Hadîth* as reported by Abû Dawûd, 'When they disputed among themselves, Allâh cast slumber over them until the chin of each of them fell on his chest. Then someone said to them from a side of the house, and they did not know who he was, 'Wash the Prophet ﷺ while his clothes are on him.' So, they washed him while he was wearing his shirt. They poured water over his shirt and rubbed him with his shirt and not with their hands.'

فَلَمَّـا فَرَغْـنَا آذَنَّاهُ ، فَأَلْقَى إِلَيْنَا حِقْوَهُ ، فَقَالَ : «أَشْعِرْنَهَا إِيَّاهُ». مُتَّفَقٌ عَلَيْهِ وَفِي رِوَايَـةٍ : «ابْدَأْنَ بِمَيَامِنِهَا وَمَوَاضِعِ الْوُضُوءِ مِنْهَا». وَفِي لَفْظٍ لِلْبُخَارِيِّ : «فَضَفَرْنَا شَعْرَهَا ثَلاَثَةَ قُرُونٍ ، فَأَلْقَيْنَاهَا خَلْفَهَا».

568. Umm ʿAṯiyah (RAA) narrated, 'The Messenger of Allâh ﷺ came to us when we were washing his daughter (Zainab) after she had died and said, **"Wash her three times, five times or more if necessary, with water and lotus leaves (*Sidr*) and apply some camphor to the last washing."** When we finished making *Ghusl* for her, we informed the Messenger of Allâh ﷺ and he threw his *Izâr* (a cloth, which he wore round his waist) to us and told us to wrap her in it as the first sheet of the shroud (next to her body).' Agreed upon. In another narration, **"Start by washing the organs on the right and those parts that are washed in ablution."** In the narration of Al-Bukhârî, "We braided her hair in three braids and made them fall at her back.'

٥٦٩ ــ وَعَنْ عَائِشَةَ – رَضِيَ اللَّهُ عَنْهَا – قَالَتْ : «كُفِّنَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـلَّمَ فِي ثَلاَثَةِ أَثْوَابٍ بِيضٍ سَحُولِيَّةٍ مِنْ كُرْسُفٍ ، لَيْسَ فِيهَا قَمِيصٌ وَلاَ عِمَامَةٌ». مُتَّفَقٌ عَلَيْهِ .

569. ʿÂ'ishah (RAA) narrated, 'The Messenger of Allâh ﷺ was shrouded in three pieces of white Yemenite cotton sheets. They did not include either a shirt or a turban.' Agreed upon.

٥٧٠ ــ وَعَـنِ ابْنِ عُمَرَ – رَضِيَ اللَّهُ عَنْهُمَا – قَالَ : «لَمَّا تُوُفِّيَ عَبْدُ اللَّهِ بْنُ أُبَيٍّ جَاءَ ابْنُهُ إِلَى رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، فَقَالَ : أَعْطِنِي قَمِيصَكَ أُكَفِّنْهُ فِيهِ ، فَأَعْطَاهُ إِيَّاهُ». مُتَّفَقٌ عَلَيْهِ .

570. ʿAbdullâh bin ʿUmar (RAA) narrated, 'When ʿAbdullâh bin Ubay (the head of the hypocrites) died, his son came to the Prophet ﷺ and said, 'O Messenger of Allâh! Please give me your shirt to shroud him (his father) in it.' So, Allâh's Messenger gave it to him. Agreed upon.

٥٧١ ــ وَعَــنِ ابْــنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «الْبَسُوا مِنْ ثِيَابِكُمُ الْبَيَاضَ ، فَإِنَّهَا مِنْ خَيْرِ ثِيَابِكُمْ ، وَكَفِّنُوا فِيهَا مَوْتَاكُمْ». رَوَاهُ الْخَمْسَةُ إِلاَّ النَّسَائِيَّ ، وَصَحَّحَهُ التِّرْمِذِيُّ .

571. Ibn 'Abbâs (RAA) narrated that the Messenger of Allâh ﷺ said, **"Wear white clothes, for they are** (considered as) **your best clothes, and enshroud your dead in them."** Related by the five Imâms, except for An-Nasâ'î, and At-Tirmidhî reported it to be sound.

٥٧٢ ــ وَعَــنْ جَابِــرٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا كَفَّنَ أَحَدُكُمْ أَخَاهُ فَلْيُحْسِنْ كَفَنَهُ». رَوَاهُ مُسْلِمٌ .

572. Jâbir (RAA) narrated that the Messenger of Allâh ﷺ said, **"When one of you is in charge of shrouding his brother, he should give him the best shroud he can** (i.e. clean, covering the whole body, but not necessarily expensive as this is disliked.)" Related by Muslim.

٥٧٣ ــ وَعَــنْهُ قَالَ : كَانَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَجْمَعُ بَيْنَ الرَّجُلَيْنِ مِنْ قَتْلَى أُحُــدٍ فِي ثَوْبٍ وَاحِدٍ ، ثُمَّ يَقُولُ : «أَيُّهُمْ أَكْثَرُ أَخْذًا لِلْقُرْآنِ ؟» فَيُقَدِّمُهُ فِي اللَّحْدِ ، وَلَمْ يُغَسَّلُوا ، وَلَمْ يُصَلِّ عَلَيْهِمْ . رَوَاهُ الْبُخَارِيُّ .

573. Jâbir (RAA) narrated that the Messenger of Allâh ﷺ had each two martyrs of the battle of Uhud wrapped in one shroud, and then would ask, **"Which one of them knew more of the Qur'ân?"** He would put that one (that was pointed out) first in the grave. They were not washed and the Messenger of Allâh ﷺ did not offer a funeral prayer for them.' Related by Al-Bukhârî.

٥٧٤ ــ وَعَــنْ عَلِيٍّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : سَمِعْتُ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ : « لاَ تَغَالُوا فِي الْكَفَنِ ، فَإِنَّهُ يُسْلَبُ سَرِيعًا». رَوَاهُ أَبُو دَاوُدَ .

574. 'Alî (RAA) narrated, 'I heard the Messenger of Allâh ﷺ say, **"Do not be extravagant in shrouding** (i.e. do not spend too much money on them) **for it will decay quickly."** Related by Abû Dawûd.

٥٧٥ ــ وَعَــنْ عَائِشَــةَ أَنَّ النَّــبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ لَهَا : «لَوْ مُتِّ قَبْلِي لَغَسَّلْتُكِ». الْحَدِيثَ . رَوَاهُ أَحْمَدُ ، وَابْنُ مَاجَهْ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

575. 'Â'ishah (RAA) narrated that the Messenger of Allâh ﷺ said to her, **"If you die before me, I will wash you myself."** Related by Ahmad, Ibn Mâjah and Ibn Hibbân graded it as *Sahîh*.

٥٧٦ ــ وَعَــنْ أَسْمَاءَ بِنْتَ عُمَيْسٍ - رَضِيَ اللَّهُ عَنْهَا - : أَنَّ فَاطِمَةَ - رَضِيَ اللَّهُ عَنْهَا - أَوْصَتْ أَنْ يُغَسِّلَهَا عَلِيٌّ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - . رَوَاهُ الدَّارَقُطْنِيُّ .

576. Asmâ' bint 'Umais (RAA) narrated that Fâtimah (RAA) (the daughter of the prophet ﷺ) made a will that 'Alî (RAA) was to wash her when she dies.' Related by Ad-Dâraqutnî.

٥٧٧ ــ وَعَــنْ بُــرَيْدَةَ - فِــي قِصَّةِ الْغَامِدِيَةِ الَّتِي أَمَرَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بِرَجْمِهَا فِي الزِّنَا - قَالَ : «ثُمَّ أَمَرَ بِهَا فَصُلِّيَ عَلَيْهَا وَدُفِنَتْ». رَوَاهُ مُسْلِمٌ .

577. Buraidah (RAA) reported concerning the story of the Ghâmidî woman, who was to be stoned by the order of the Prophet ﷺ (due to committing adultery), 'Then the Messenger of Allâh ﷺ gave his command concerning her (after her death), so he offered the funeral prayer for her, and she was then buried.' Related by Muslim.

٥٧٨ ــ وَعَنْ جَابِرِ بْنِ سَمُرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «أُتِيَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بِرَجُلٍ قَتَلَ نَفْسَهُ بِمَشَاقِصَ ، فَلَمْ يُصَلِّ عَلَيْهِ». رَوَاهُ مُسْلِمٌ .

578. Jâbir bin Saumrah (RAA) narrated, 'A man who killed himself with a broad-headed arrow, was brought to the Prophet ﷺ, but he did not offer the funeral prayer for him.'[181] Related by Muslim.

181- The Messenger of Allâh ﷺ did not offer prayer for him, as a punishment for what he did by committing suicide, and to dissuade others from doing the same.

٥٧٩ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - فِي قِصَّةِ الْمَرْأَةِ الَّتِي كَانَتْ تَقُمُّ الْمَسْجِدَ ، فَسَأَلَ عَنْهَا النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالُوا : مَاتَتْ ، فَقَالَ : «أَفَلَا كُنْتُمْ آذَنْتُمُونِي ؟» فَكَأَنَّهُمْ صَغَّرُوا أَمْرَهَا ، فَقَالَ : «دُلُّونِي عَلَى قَبْرِهَا» ، فَدَلُّوهُ ، فَصَلَّى عَلَيْهَا . مُتَّفَقٌ عَلَيْهِ ، وَزَادَ مُسْلِمٌ ، ثُمَّ قَالَ : «إِنَّ هَذِهِ الْقُبُورَ مَمْلُوءَةٌ ظُلْمَةً عَلَى أَهْلِهَا ، وَإِنَّ اللَّهَ يُنَوِّرُهَا لَهُمْ بِصَلَاتِي عَلَيْهِمْ».

579. Abû Hurairah (RAA) narrated regarding the story of the black woman who used to clean the mosque. The Messenger of Allâh ﷺ asked about her, and he was told that she had died. He said to them, **"Why didn't you inform me of her death?"** It seems that they regarded her as an insignificant person. The Messenger of Allâh ﷺ said, **"Show me her grave."** They showed him her grave and he offered the funeral prayer for her.' Agreed upon. Muslim added in his narration, **'Verily, those graves are full of darkness for those buried in them. Allâh, the Almighty, will illuminate them for their dwellers by my prayer over them"**

٥٨٠ ــ وَعَنْ حُذَيْفَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ يَنْهَى عَنِ النَّعْيِ». رَوَاهُ أَحْمَدُ ، وَالتِّرْمِذِيُّ وَحَسَّنَهُ .

580. Hudhaifah (RAA) narrated that the Messenger of Allâh ﷺ used to prohibit the announcement of anyone's death.[182]' Related by Ahmad and At-Tirmidhî, who rendered it *Hasan*.

٥٨١ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ نَعَى النَّجَاشِيَّ فِي الْيَوْمِ الَّذِي مَاتَ فِيهِ ، وَخَرَجَ بِهِمْ إِلَى الْمُصَلَّى ، فَصَفَّ بِهِمْ ، وَكَبَّرَ عَلَيْهِ أَرْبَعًا». مُتَّفَقٌ عَلَيْهِ .

581. Abû Hurairah (RAA) narrated that the Messenger of

182- The prohibition in this *Hadith* does not refer to telling people about the death of a relative, a friend etc for people to console his family and offer funeral prayer for him. The Prophet ﷺ is prohibiting what they used to do before Islâm, like calling out the news of the death of a great man showing pride over others or wailing and crying aloud for people to know that someone has died in that house.

Allâh ﷺ informed the people about the death of Negus the day he died. He took them out to the place of prayer, to offer the funeral prayer for him. He arranged them in rows, and made *Takbîr* four times.' Agreed upon.

٥٨٢ ـــ وَعَنِ ابْنِ عَبَّاسٍ – رَضِيَ اللَّهُ عَنْهُمَا – قَالَ : سَمِعْتُ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ : «مَا مِنْ رَجُلٍ مُسْلِمٍ يَمُوتُ ، فَيَقُومُ عَلَى جَنَازَتِهِ أَرْبَعُونَ رَجُلاً ، لاَ يُشْرِكُونَ بِاللَّهِ شَيْئًا ، إِلاَّ شَفَّعَهُمُ اللَّهُ فِيهِ». رَوَاهُ مُسْلِمٌ .

582. Ibn 'Abbâs (RAA) narrated, 'I heard the Messenger of Allâh ﷺ say, **"If a Muslim man dies and a group of forty people, who do not associate any one with Allâh, pray for him, Allâh will accept their intercession for him** (by way of their *Du'â'* for him." Related by Muslim.

٥٨٣ ـــ وَعَنْ سَمُرَةَ بْنِ جُنْدَبٍ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : «صَلَّيْتُ وَرَاءَ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَلَى امْرَأَةٍ مَاتَتْ فِي نِفَاسِهَا ، فَقَامَ وَسْطَهَا». مُتَّفَقٌ عَلَيْهِ .

583. Samurah bin Jundub (RAA) narrated, 'I offered the funeral prayer behind the Prophet ﷺ for a woman who had died during child-birth and he (prayed) standing opposite the middle of her body.' Agreed upon.

٥٨٤ ـــ وَعَنْ عَائِشَةَ – رَضِيَ اللَّهُ عَنْهَا – قَالَتْ : «وَاللَّهِ لَقَدْ صَلَّى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَلَى ابْنَيْ بَيْضَاءَ فِي الْمَسْجِدِ». رَوَاهُ مُسْلِمٌ .

584. 'Â'ishah (RAA) narrated, 'By Allâh the Messenger of Allâh ﷺ offered funeral prayer in the mosque for the sons of Baidâ' (Sahl and Suhail).'[183] Related by Muslim.

٥٨٥ ـــ وَعَنْ عَبْدِ الرَّحْمَنِ بْنِ أَبِي لَيْلَى قَالَ : «كَانَ زَيْدُ بْنُ أَرْقَمَ – رَضِيَ اللَّهُ عَنْهُ – يُكَبِّرُ عَلَى جَنَائِزِنَا أَرْبَعًا ، وَإِنَّهُ كَبَّرَ عَلَى جَنَازَةٍ خَمْسًا ، فَسَأَلْتُهُ فَقَالَ : كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يُكَبِّرُهَا». رَوَاهُ مُسْلِمٌ وَالأَرْبَعَةُ .

183- This *Hadîth* is evidence that it is permissible to pray the funeral prayer in the mosque.

585. ´Abdur Rahmân bin Abî Laila (RAA) and 'Zaid bin Arqam (RAA) used to recite four *Takbîrât* when praying over the dead, but once he said it five times, so I asked him about it. He said to me, 'The Messenger of Allâh ﷺ used to do so.' Related by Muslim and the four Imâms.[184]

٥٨٦ ــ وَعَنْ عَلِيٍّ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - : «أَنَّهُ كَبَّرَ عَلَى سَهْلِ بْنِ حُنَيْفٍ سِتًّا ، وَقَالَ : إِنَّهُ بَدْرِيٌّ». رَوَاهُ سَعِيدُ بْنُ مَنْصُورٍ ، وَأَصْلُهُ فِي الْبُخَارِيِّ .

586. ´Alî bin Abî Tâlib (RAA) narrated that he said six *Takbîrât* when he prayed over Sahl bin Hunaif, and he said (explaining his action), 'He is one of the Companions, who fought in the Battle of Badr.' Related by Sa´îd bin Mansûr.

٥٨٧ ــ وَعَنْ جَابِرٍ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : «كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يُكَبِّرُ عَلَى جَنَائِزِنَا أَرْبَعًا وَيَقْرَأُ بِفَاتِحَةِ الْكِتَابِ فِي التَّكْبِيرَةِ الأُولَى». رَوَاهُ الشَّافِعِيُّ بِإِسْنَادٍ ضَعِيفٍ .

587. Jâbir (RAA) narrated that the Messenger of Allâh ﷺ used to say four *Takbîrât* over the dead, and would recite *al-Fâtihah* in (after saying) the first (opening) *Takbîrât*.' Related by Ash-Shâfi´î with a weak chain of narrators.

٥٨٨ ــ وَعَنْ طَلْحَةَ بْنِ عَبْدِ اللَّهِ بْنِ عَوْفٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «صَلَّيْتُ خَلْفَ ابْنِ عَبَّاسٍ عَلَى جَنَازَةٍ ، فَقَرَأَ فَاتِحَةَ الْكِتَابِ فَقَالَ : لِيَعْلَمُوا أَنَّهَا سُنَّةٌ». رَوَاهُ الْبُخَارِيُّ .

588. Talhah bin ´Abdullâh bin ´Auf (RAA) narrated, 'I offered a funeral prayer led by Ibn ´Abbâs. He recited *al-Fâtihah* and said, 'You should know that it (reciting *al-Fâtihah*) is a *Sunnah* of the Prophet ﷺ.' Related by Al-Bukhârî.

٥٨٩ ــ وَعَنْ عَوْفِ بْنِ مَالِكٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : صَلَّى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَلَى جَنَازَةٍ ، فَحَفِظْتُ مِنْ دُعَائِهِ : «اللَّهُمَّ اغْفِرْ لَهُ ، وَارْحَمْهُ ، وَعَافِهِ ،

184- Most scholars are of the opinion that they are only four *Takbîrât*.

وَاعْفُ عَنْهُ ، وَأَكْرِمْ نُزُلَهُ ، وَوَسِّعْ مَدْخَلَهُ ، وَاغْسِلْهُ بِالْمَاءِ وَالثَّلْجِ وَالْبَرَدِ ، وَنَقِّهِ مِنَ الْخَطَايَا كَمَا يُنَقَّى الثَّوْبُ الأَبْيَضُ مِنَ الدَّنَسِ ، وَأَبْدِلْهُ دَارًا خَيْرًا مِنْ دَارِهِ ، وَأَهْلاً خَيْرًا مِنْ أَهْلِهِ ، وَأَدْخِلْهُ الْجَنَّةَ ، وَقِهِ فِتْنَةَ الْقَبْرِ ، وَعَذَابَ النَّارِ». رَوَاهُ مُسْلِمٌ .

589. ʿAuf bin Mâlik (RAA) narrated that the Messenger of Allâh ﷺ offered the funeral prayer, and I memorized this supplication (that he said for the deceased), "'**O Allâh! Forgive him and have mercy on him (on her). Grant him ease and respite. Make his resting place a noble one, and facilitate his entry. Wash him with the most pure and clean water, snow and hail. Purify him from sins as a white garment is cleansed of dirt. Give him in exchange a home better than his home (on earth) and a family better than his family. Grant him entrance to Paradise and protect him from the trials of the grave and the torture of Hell Fire.**" Related by Muslim.

٥٩٠ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِذَا صَلَّى عَلَى جَنَازَةٍ يَقُولُ : «اللَّهُمَّ اغْفِرْ لِحَيِّنَا ، وَمَيِّتِنَا ، وَشَاهِدِنَا ، وَغَائِبِنَا ، وَصَغِيرِنَا ، وَكَبِيرِنَا ، وَذَكَرِنَا ، وَأُنْثَانَا ، اللَّهُمَّ مَنْ أَحْيَيْتَهُ مِنَّا فَأَحْيِهِ عَلَى الإِسْلاَمِ ، وَمَنْ تَوَفَّيْتَهُ مِنَّا فَتَوَفَّهُ عَلَى الإِيمَانِ ، اللَّهُمَّ لاَ تَحْرِمْنَا أَجْرَهُ ، وَلاَ تُضِلَّنَا بَعْدَهُ». رَوَاهُ مُسْلِمٌ ، وَالأَرْبَعَةُ .

590. Abû Hurairah (RAA) narrated, 'When the Messenger of Allâh ﷺ prayed a funeral prayer, he would say, "**O Allâh! Forgive those of us who are alive, and those who are dead, those present and those absent, those who are young and those who are male and those who are female. O Allâh! Let those of us to whom You have given life, live in Islâm, and let those of us You take back die in a state of faith. O Allâh! Do not deprive us of our reward for (supplicating for) him, and cause us not to go astray after him.**" Related by Muslim and the four Imâms.

٥٩١ ــ وَعَنْهُ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «إِذَا صَلَّيْتُمْ عَلَى الْمَيِّتِ فَأَخْلِصُوا لَهُ الدُّعَاءَ». رَوَاهُ أَبُو دَاوُدَ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

591. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"If you offer the funeral prayer for a deceased person, supplicate Allâh sincerely for him."** Related by Abû Dawûd.

٥٩٢ ــ وَعَنْ أَبِي هُرَيْرَةَ – رَضِيَ اللَّهُ عَنْهُ – عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «أَسْرِعُوا بِالْجَنَازَةِ ، فَإِنْ تَكُ صَالِحَةً فَخَيْرٌ تُقَدِّمُونَهَا إِلَيْهِ ، وَإِنْ تَكُ سِوَى ذَلِكَ فَشَرٌّ تَضَعُونَهُ عَنْ رِقَابِكُمْ». مُتَّفَقٌ عَلَيْهِ .

592. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"Hurry up when you carry the dead body (the *janâzah*), for if the deceased is righteous, you would be taking it to something better, and if he or she is an evil person, then you will be getting him or her off your necks.'** Agreed upon.

٥٩٣ ــ وَعَنْهُ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ شَهِدَ الْجَنَازَةَ حَتَّى يُصَلَّى عَلَيْهَا فَلَهُ قِيرَاطٌ ، وَمَنْ شَهِدَهَا حَتَّى تُدْفَنَ فَلَهُ قِيرَاطَانِ» ، قِيلَ : وَمَا الْقِيرَاطَانِ ؟ قَالَ : «مِثْلُ الْجَبَلَيْنِ الْعَظِيمَيْنِ». مُتَّفَقٌ عَلَيْهِ ، وَلِمُسْلِمٍ : «حَتَّى تُوضَعَ فِي اللَّحْدِ».

593. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"Whoever accompanies the funeral (the dead body) until he performs the funeral prayer will have a reward equal to (one *Qirât*), and whoever accompanies the burial procession, will be doubly awarded (two *Qirât*)."** They then asked, 'What is meant by the two *Qirât*?' He replied ﷺ, **"Like two huge mountains."** Agreed upon. Muslim added the statement, **'until it is buried.'**

٥٩٤ ــ وَلِلْبُخَارِيِّ أَيْضًا مِنْ حَدِيثِ أَبِي هُرَيْرَةَ – رَضِيَ اللَّهُ عَنْهُ – : «مَنْ تَبِعَ جَنَازَةَ مُسْلِمٍ إِيمَانًا وَاحْتِسَابًا ، وَكَانَ مَعَهَا حَتَّى يُصَلَّى عَلَيْهَا ، وَيُفْرَغَ مِنْ دَفْنِهَا فَإِنَّهُ يَرْجِعُ بِقِيرَاطَيْنِ ، كُلُّ قِيرَاطٍ مِثْلُ جَبَلِ أُحُدٍ».

594. Al-Bukhârî related on the authority of Abû Hurairah,

**"Whoever accompanies the funeral of a Muslim, seeking the reward only from Allâh, the Almighty, and he stays with it until he offers the funeral prayer and the burial is completed, will return back with two *Qirâṯ*, each *Qirâṯ* is equal to the mount of *U<u>h</u>ud*.'**

٥٩٥ ــ وَعَنْ سَالِمٍ عَنْ أَبِيهِ - رَضِيَ اللَّهُ عَنْهُمَا - : «أَنَّهُ رَأَى النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَأَبَا بَكْرٍ وَعُمَرَ ، وَهُمْ يَمْشُونَ أَمَامَ الْجَنَازَةِ». رَوَاهُ الْخَمْسَةُ ، وَصَحَّحَهُ ابْنُ حِبَّانَ ، وَأَعَلَّهُ النَّسَائِيُّ ، وَطَائِفَةٌ بِالإِرْسَالِ .

595. Sâlim narrated on the authority of his father (RAA) that he saw the Messenger of Allâh ﷺ, Abû Bakr and 'Umar walking in front of a Funeral.' Related by the five Imâms, and Ibn Hibbân rendered it *Sahîh*.

٥٩٦ ــ وَعَنْ أُمِّ عَطِيَّةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «نُهِينَا عَنِ اتِّبَاعِ الْجَنَائِزِ ، وَلَمْ يُعْزَمْ عَلَيْنَا». مُتَّفَقٌ عَلَيْهِ .

596. Umm 'Aṯiyah (RAA) narrated, 'We were forbidden to accompany funeral processions, but this prohibition was not mandatory for us.' Agreed upon.

٥٩٧ ــ وَعَنْ أَبِي سَعِيدٍ أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «إِذَا رَأَيْتُمُ الْجَنَازَةَ فَقُومُوا ، فَمَنْ تَبِعَهَا فَلاَ يَجْلِسْ حَتَّى تُوضَعَ». مُتَّفَقٌ عَلَيْهِ .

597. Abû Sa'îd (RAA) narrated that the Messenger of Allâh ﷺ said, **"Stand up when you see a funeral procession, and he who accompanies it should not sit down until the coffin is placed on the ground."** Agreed upon.

٥٩٨ ــ وَعَنْ أَبِي إِسْحَاقَ : «أَنَّ عَبْدَ اللَّهِ بْنَ يَزِيدَ أَدْخَلَ الْمَيِّتَ مِنْ قِبَلِ رِجْلَيِ الْقَبْرِ ، وَقَالَ : هَذَا مِنَ السُّنَّةِ». أَخْرَجَهُ أَبُو دَاوُدَ .

598. Abû Is<u>h</u>âq narrated that 'Abdullâh bin Yazîd placed a dead body in the grave from the side near the foot of the grave (i.e. the end which will accommodate the feet when the body is placed

in it).[185] He then said, 'This is the *Sunnah* of the Prophet ﷺ.' Related by Abû Dawûd.

٥٩٩ ـــ وَعَـــنِ ابْـــنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَـــالَ : «إِذَا وَضَـــعْتُمْ مَوْتَاكُمْ فِي الْقُبُورِ ، فَقُولُوا : بِسْمِ اللَّهِ ، وَعَلَى مِلَّةِ رَسُولِ اللَّـــهِ». أَخْـــرَجَهُ أَحْمَـــدُ ، وَأَبُو دَاوُدَ ، وَالنَّسَائِيُّ ، وَصَحَّحَهُ ابْنُ حِبَّانَ ، وَأَعَلَّهُ الدَّارَقُطْنِيُّ بِالْوَقْفِ .

599. Ibn 'Umar (RAA) narrated that the Messenger of Allâh ﷺ said, **"When you place your deceased in the grave, say, 'In the Name of Allâh, and in accordance with the tradition of Allâh's Messenger ﷺ.'** Related by Ahmad, Abû Dawûd and An-Nasâ'î.

٦٠٠ ـــ وَعَنْ عَائِشَةَ أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «كَسْرُ عَظْمِ الْمَيِّتِ كَكَسْرِهِ حَيًّا». رَوَاهُ أَبُو دَاوُدَ بِإِسْنَادٍ عَلَى شَرْطِ مُسْلِمٍ .

600. 'Â'ishah (RAA) narrated that the Messenger of Allâh ﷺ said,**"Breaking a deceased body's bones is exactly like breaking them when he is alive."** Related by Abû Dawûd in accordance with the conditions of Muslim.

٦٠١ ـــ وَزَادَ ابْنُ مَاجَهْ مِنْ حَدِيثِ أُمِّ سَلَمَةَ - رَضِيَ اللَّهُ عَنْهَا - : «فِي الإِثْمِ».

601. Ibn Mâjah added, on the authority of Umm Salamah (RAA), **"with regards to it being a sin.'**

٦٠٢ ـــ وَعَـــنْ سَعْدِ بْنِ أَبِي وَقَّاصٍ قَالَ : «الْحَدُوا لِي لَحْدًا ، وَانْصِبُوا عَلَيَّ اللَّبِنَ نَصْبًا ، كَمَا صُنِعَ بِرَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ». رَوَاهُ مُسْلِمٌ .

602. Sa'd bin Abî Wqqâs (RAA) said (during his death illness) 'Make a *lahd* for me and cover it with un-burnt bricks, as you did with the grave of the Prophet ﷺ.' Related by Muslim.

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185- It is the *Sunnah* that the head of the deceased is placed first from the side of the foot of the grave, but if it is not easy to do so, then the body could be placed in the grave from any side.

٦٠٣ ــ وَلِلْبَيْهَقِيِّ عَنْ جَابِرٍ - رَضِيَ اللَّهُ عَنْهُ - نَحْوَهُ ، وَزَادَ : «وَرُفِعَ قَبْرُهُ عَنِ الأَرْضِ قَدْرَ شِبْرٍ». وَصَحَّحَهُ ابْنُ حِبَّانَ .

603. Al-Baihaqî transmitted on the authority of Jâbir (RAA) a similar narration and added, 'and his grave was raised one span from the ground.[186]' Ibn Hibbân graded it as *Sahîh.*

٦٠٤ ــ وَلِمُسْلِمٍ عَنْهُ - رَضِيَ اللَّهُ عَنْهُ - : «نَهَى رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنْ يُجَصَّصَ الْقَبْرُ ، وَأَنْ يُقْعَدَ عَلَيْهِ ، وَأَنْ يُبْنَى عَلَيْهِ».

604. Jâbir (RAA) narrated that the Messenger of Allâh ﷺ. prohibited whitening a grave with plaster, to sit on it or to build over it (such as a dome).' Related by Muslim.

٦٠٥ ــ وَعَنْ عَامِرِ بْنِ رَبِيعَةَ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ صَلَّى عَلَى عُثْمَانَ بْنِ مَظْعُونٍ ، وَأَتَى الْقَبْرَ ، فَحَثَى عَلَيْهِ ثَلاَثَ حَثَيَاتٍ وَهُوَ قَائِمٌ». رَوَاهُ الدَّارَقُطْنِيُّ .

605. ´Âmir bin Rabî´ah (RAA) narrated that the Messenger of Allâh ﷺ prayed over ´Uthmân bin Madh´ûn, then went to the grave and sprinkled three handfuls of soil while he was standing.' Related by Ad-Dâraqutnî.

٦٠٦ ــ وَعَنْ عُثْمَانَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : كَانَ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِذَا فَرَغَ مِنْ دَفْنِ الْمَيِّتِ وَقَفَ عَلَيْهِ وَقَالَ : «اسْتَغْفِرُوا لأَخِيكُمْ وَاسْأَلُوا لَهُ التَّثْبِيتَ ، فَإِنَّهُ الآنَ يُسْأَلُ». رَوَاهُ أَبُو دَاوُدَ ، وَصَحَّحَهُ الْحَاكِمُ .

606. ´Uthmân Ibn ´Affân (RAA) narrated, 'Whenever the Messenger of Allâh ﷺ. finished the burial of the dead, he would stand by the grave and say, **"Seek forgiveness for your brother and pray for him to be steadfast, because he is now being questioned."** Related by Abû Dawûd. Al-Hâkim graded it as *Sahîh*.

186- The surface of the grave is raised one span above the ground so that its location can be known.

٦٠٧ ـــ وَعَـــنْ ضَــمْرَةَ بْــنِ حَبِيــبٍ - رَضِيَ اللَّهُ عَنْهُ - أَحَدِ التَّابِعِينَ - قَالَ : «كَـــانُوا يَسْتَحِبُّونَ إِذَا سُوِّيَ عَلَى الْمَيِّتِ قَبْرُهُ ، وَانْصَرَفَ النَّاسُ عَنْهُ ، أَنْ يُقَالَ عِنْدَ قَـــبْرِهِ : يَا فُلاَنُ ، قُلْ لاَ إِلَهَ إِلاَّ اللَّهُ ، ثَلاَثَ مَرَّاتٍ ، يَا فُلاَنُ ، قُلْ رَبِّيَ اللَّهُ ، وَدِينِي الإِسْلاَمُ ، وَنَبِيِّي مُحَمَّدٌ». رَوَاهُ سَعِيدُ بْنُ مَنْصُورٍ مَوْقُوفًا .

607. Damrah bin Habîb (one of the Tâbi'în or the followers of the Companions) narrated, "They (the Companions that he met) recommended that after the grave is leveled and the people leave, that one should stand by the grave and say three times to the deceased, 'O so-and-so, say: "There is no god but Allâh", 'O so-and-so, say: "Allâh is my Lord, Islâm is my dîn (religion), and Muhammad is my prophet." Related by Sa'îd bin Mansûr.

٦٠٨ــ وَلِلطَّبَرَانِيِّ نَحْوُهُ مِنْ حَدِيثِ أَبِي أُمَامَةَ مَرْفُوعًا مُطَوَّلاً .

608. At-Tabarânî related a similar *Hadîth* on the authority of Abû Umâmah on the authority of the Prophet ﷺ.[187]

٦٠٩ ـــ وَعَـــنْ بُرَيْدَةَ بْنِ الْحُصَيْبِ الأَسْلَمِيِّ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ رَسُـــولُ اللَّـــهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «كُنْتُ نَهَيْتُكُمْ عَنْ زِيَارَةِ الْقُبُورِ فَزُورُوهَا». رَوَاهُ مُسْلِمٌ ، زَادَ التِّرْمِذِيُّ : «فَإِنَّهَا تُذَكِّرُ الآخِرَةَ».

609. Buraidah bin Al-Husaib al-Aslamî (RAA) narrated that the Messenger of Allâh ﷺ said, **"I had forbidden you to visit graves, but now you may visit them."** Related by Muslim. At-Tirmidhî added the following, **"It will remind you of the Hereafter."**

٦١٠ ـــ زَادَ ابْنُ مَاجَهْ مِنْ حَدِيثِ ابْنِ مَسْعُودٍ : «وَتُزَهِّدُ فِي الدُّنْيَا».

610. Ibn Mâjah added on the authority of Bin Mas'ûd, **"And they make you** (i.e. the graves) **renounce this worldly life."**

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187- *Imâm as-San'ânî in 'Subul as-Salâm'* says that none of the scholars of *Hadîth* doubt that this *Hadîth* is fabricated (i.e. prompting the deceased after the burial), so it could not be traced back to the prophet ﷺ. Imâm Ibnul Qaiyim said that the companions did not do this, as we see people doing nowadays, as standing by the side of the grave and talking to the dead.

٦١١ ـــ وَعَـــنْ أَبِـــي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لَعَنَ زَائِرَاتِ الْقُبُورِ». أَخْرَجَهُ التِّرْمِذِيُّ وَصَحَّحَهُ ابْنُ حِبَّانَ .

611. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ cursed the women who frequently visit the graves. Related At-Tirmidhî and Ibn Hibbân graded it as *Sahîh*

٦١٢ ـــ وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : «لَعَنَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ النَّائِحَةَ وَالْمُسْتَمِعَةَ». أَخْرَجَهُ أَبُو دَاوُدَ .

612. Abû Sa'îd Al-Khudrî (RAA) narrated that the Messenger of Allâh ﷺ cursed the wailing women and those who listen to them. Related by Abû Dawûd.

٦١٣ ـــ وَعَنْ أُمِّ عَطِيَّةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهَا - قَالَتْ : «أَخَذَ عَلَيْنَا رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنْ لاَ نَنُوحَ». مُتَّفَقٌ عَلَيْهِ .

613. Umm 'Atiyah (RAA) narrated that the Messenger of Allah ﷺ made us pledge that we will not wail. Agreed upon.

٦١٤ ـــ وَعَـــنِ ابْـــنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «الْمَيِّتُ يُعَذَّبُ فِي قَبْرِهِ بِمَا نِيحَ عَلَيْهِ». مُتَّفَقٌ عَلَيْهِ .

614. Ibn 'Umar (RAA) narrated that the Messenger of Allâh ﷺ said, **"A dead person is tormented in his grave by the wailing for him."** Agreed upon.

٦١٥ ـــ وَلَهُمَا نَحْوُهُ عَنِ الْمُغِيرَةِ بْنِ شُعْبَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - .

615. Al-Bukhârî and Muslim transmitted a similar narration on the authority of Al-Mughîrah bin Shu'bah.

٦١٦ ـــ وَعَـــنْ أَنَسٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «شَهِدْتُ بِنْتًا لِلنَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ تُدْفَنُ ، وَرَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ جَالِسٌ عِنْدَ الْقَبْرِ ، فَرَأَيْتُ عَيْنَيْهِ تَدْمَعَانِ». رَوَاهُ الْبُخَارِيُّ .

616. Anas (RAA) narrated, 'I attended the burial of one of the

daughters of the Prophet ﷺ. He was sitting by the side of the grave and his eyes were shedding tears.' Related by Al-Bukhârî.

٦١٧ ـــ وَعَـــنْ جَابِرٍ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لاَ تَدْفِنُوا مَوْتَاكُمْ بِاللَّيْلِ إِلاَّ أَنْ تُضْطَرُّوا». أَخْرَجَهُ ابْنُ مَاجَهْ ، وَأَصْلُهُ فِي مُسْلِمٍ ، لَكِنْ قَالَ : زَجَرَ أَنْ يُقْبَرَ الرَّجُلُ بِاللَّيْلِ ، حَتَّى يُصَلَّى عَلَيْهِ .

617. Jâbir bin ´Abdullâh (RAA) narrated that the Messenger of Allâh ﷺ said, **"Do not bury your dead during the night unless you have to do so."** Related by Ibn Mâjah. Muslim reported a similar narration, but Jâbir said in his narration, 'The Prophet ﷺ disapproved that someone is buried at night, unless the funeral prayer has been offered for him.'

٦١٨ ـــ وَعَـــنْ عَـــبْدِ اللَّهِ بْنِ جَعْفَرٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : لَمَّا جَاءَ نَعْيُ جَعْفَرٍ - حِـــينَ قُتِلَ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «اصْنَعُوا لآلِ جَعْفَرٍ طَعَامًا ، فَقَدْ أَتَاهُمْ مَا يَشْغَلُهُمْ». أَخْرَجَهُ الْخَمْسَةُ إِلاَّ النَّسَائِيَّ .

618. ´Abdullâh Ibn Ja´far (RAA) narrated, 'When we received the news of Ja´far's death; when he was killed (in the Battle of *Mu'tah)*, the Prophet ﷺ said, **"Prepare some food for the family of Ja´far, for what has befallen them is keeping them preoccupied."** Related by the five Imâms except for An-Nasâ'î.

٦١٩ ـــ وَعَنْ سُلَيْمَانَ بْنِ بُرَيْدَةَ عَنْ أَبِيهِ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يُعَلِّمُهُمْ إِذَا خَرَجُوا إِلَى الْمَقَابِرِ أَنْ يَقُولُوا : «السَّلاَمُ عَلَيْكُمْ أَهْـــلَ الدِّيَارِ مِنَ الْمُؤْمِنِينَ وَالْمُسْلِمِينَ ، وَإِنَّا إِنْ شَاءَ اللَّهُ - تَعَالَى - بِكُمْ لاَحِقُونَ ، نَسْأَلُ اللَّهَ لَنَا وَلَكُمُ الْعَافِيَةَ». رواه مُسْلِمٌ .

619. Sulaimân bin Buraidah narrated on the authority of his father (RAA) that the Prophet ﷺ taught us that when we visit graves we should say, **"Peace be upon you, O believing men and women, O dwellers of this place. Certainly, Allâh willing, we will join you. We supplicate to Allâh to grant us and you well being."** Related by Muslim.

٦٢٠ ــ وَعَنِ ابْنِ عَبَّاسٍ قَالَ : مَرَّ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بِقُبُورِ الْمَدِينَةِ ، فَأَقْبَلَ عَلَيْهِمْ بِوَجْهِهِ فَقَالَ : «السَّلاَمُ عَلَيْكُمْ يَا أَهْلَ الْقُبُورِ ، يَغْفِرُ اللَّهُ لَنَا وَلَكُمْ ، أَنْتُمْ سَلَفُنَا ، وَنَحْنُ بِالأَثَرِ». رَوَاهُ التِّرْمِذِيُّ ، وَقَالَ : حَسَنٌ .

620. Ibn ʿAbbâs (RAA) narrated,'Once the Messenger of Allâh ﷺ passed by some graves in Madînah. He turned his face toward them saying, **"Peace be upon you, O dwellers of these graves. May Allâh forgive you and us. You have preceded us, and we are following your trail."** Related by At-Tirmidhî, who graded it as *Hasan*.

٦٢١ ــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ تَسُبُّوا الأَمْوَاتَ ، فَإِنَّهُمْ قَدْ أَفْضَوْا إِلَى مَا قَدَّمُوا». رَوَاهُ الْبُخَارِيُّ .

621. ʿÂ'ishah (RAA) narrated that the Messenger of Allâh ﷺ said, **"Do not speak badly of the dead, they have already seen the result of (the deeds) that they sent on before them."** Related by Al-Bukhârî.

٦٢٢ ــ وَرَوَى التِّرْمِذِيُّ عَنِ الْمُغِيرَةِ - رَضِيَ اللَّهُ عَنْهُ - نَحْوَهُ ، لَكِنْ قَالَ : «فَتُؤْذُوا الأَحْيَاءَ».

622. At-Tirmidhî related a similar narration on the authority of Al-Mughîrah bin Shuʿbah, and he added, **"Thus you will be offending the living** (i.e. if you curse their dead)."

# كِتَابُ الزَّكَاةِ

## *Book IV: Zakâh*

### *Chapter I*

٦٢٣ ـــ عَنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - : أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بَعَثَ مُعَاذًا إِلَى الْيَمَنِ - فَذَكَرَ الْحَدِيثَ - وَفِيهِ : «أَنَّ اللَّهَ قَدِ افْتَرَضَ عَلَيْهِمْ صَدَقَةً فِي أَمْوَالِهِمْ تُؤْخَذُ مِنْ أَغْنِيَائِهِمْ ، فَتُرَدُّ فِي فُقَرَائِهِمْ». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِلْبُخَارِيِّ .

623. Ibn 'Abbâs (RAA) narrated that when the Prophet ﷺ sent Mu'âdh ibn Jabal to Yemen (as governor), he said to him: **"You are going to a people who are People of the Scripture. Invite them to testify that none has the right to be worshipped but Allâh and that I am His Messenger. If they obey you in this, then teach them that Allâh, the Glorious One, has enjoined five prayers upon them in every day and night (in twenty-four hours), and if they obey you in this, then tell them that Allâh has made it obligatory for them to pay *Zakâh* upon their assets and it is to be taken from the wealthy among them and given to the poor among them."** Related by Al-Bukhârî.

٦٢٤ ـــ وَعَنْ أَنَسٍ أَنَّ أَبَا بَكْرٍ الصِّدِّيقَ - رَضِيَ اللَّهُ عَنْهُ - كَتَبَ لَهُ : «هَذِهِ فَرِيضَةُ الصَّدَقَةِ الَّتِي فَرَضَهَا رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَلَى الْمُسْلِمِينَ ، وَالَّتِي أَمَرَ اللَّهُ بِهَا رَسُولَهُ ، فِي كُلِّ أَرْبَعٍ وَعِشْرِينَ مِنَ الإِبِلِ فَمَا دُونَهَا الْغَنَمُ : فِي كُلِّ خَمْسٍ شَاةٌ ، فَإِذَا بَلَغَتْ خَمْسًا وَعِشْرِينَ إِلَى خَمْسٍ وَثَلاثِينَ فَفِيهَا بِنْتُ مَخَاضٍ أُنْثَى ، فَإِنْ لَمْ تَكُنْ فَابْنُ لَبُونٍ ذَكَرٌ ، فَإِذَا بَلَغَتْ سِتًّا وَثَلاثِينَ إِلَى خَمْسٍ وَأَرْبَعِينَ فَفِيهَا بِنْتُ لَبُونٍ أُنْثَى ، فَإِذَا بَلَغَتْ سِتًّا وَأَرْبَعِينَ إِلَى سِتِّينَ فَفِيهَا حِقَّةٌ طَرُوقَةُ الْجَمَلِ ، فَإِذَا بَلَغَتْ وَاحِدَةً وَسِتِّينَ إِلَى خَمْسٍ وَسَبْعِينَ فَفِيهَا جَذَعَةٌ ، فَإِذَا بَلَغَتْ سِتًّا وَسَبْعِينَ إِلَى تِسْعِينَ فَفِيهَا بِنْتَا لَبُونٍ ، فَإِذَا بَلَغَتْ إِحْدَى وَتِسْعِينَ إِلَى عِشْرِينَ وَمِائَةٍ فَفِيهَا

حِقَّتَانِ طَرُوقَتَا الْجَمَلِ ، فَإِذَا زَادَتْ عَلَى عِشْرِينَ وَمِائَةٍ فَفِي كُلِّ أَرْبَعِينَ بِنْتُ لَبُونٍ ، وَفِي كُلِّ خَمْسِينَ حِقَّةٌ ، وَمَنْ لَمْ يَكُنْ مَعَهُ إِلاَّ أَرْبَعٌ مِنَ الإِبِلِ فَلَيْسَ فِيهَا صَدَقَةٌ إِلاَّ أَنْ يَشَاءَ رَبُّهَا ، وَفِي صَدَقَةِ الْغَنَمِ فِي سَائِمَتِهَا إِذَا كَانَتْ أَرْبَعِينَ إِلَى عِشْرِينَ وَمِائَةٍ شَاةٍ شَاةٌ ، فَإِذَا زَادَتْ عَلَى عِشْرِينَ وَمِائَةٍ إِلَى مِائَتَيْنِ فَفِيهَا شَاتَانِ ، فَإِذَا زَادَتْ عَلَى مِائَتَيْنِ إِلَى ثَلاَثِمِائَةٍ فَفِيهَا ثَلاَثُ شِيَاهٍ ، فَإِذَا زَادَتْ عَلَى ثَلاَثِمِائَةٍ فَفِي كُلِّ مِائَةٍ شَاةٌ ، فَإِذَا كَانَتْ سَائِمَةُ الرَّجُلِ نَاقِصَةً مِنْ أَرْبَعِينَ شَاةٍ شَاةً وَاحِدَةً فَلَيْسَ فِيهَا صَدَقَةٌ ، إِلاَّ أَنْ يَشَاءَ رَبُّهَا ، وَلاَ يُجْمَعُ بَيْنَ مُتَفَرِّقٍ وَلاَ يُفَرَّقُ بَيْنَ مُجْتَمِعٍ خَشْيَةَ الصَّدَقَةِ وَمَا كَانَ مِنْ خَلِيطَيْنِ فَإِنَّهُمَا يَتَرَاجَعَانِ بَيْنَهُمَا بِالسَّوِيَّةِ ، وَلاَ يُخْرَجُ فِي الصَّدَقَةِ هَرِمَةٌ ، وَلاَ ذَاتُ عَوَارٍ ، وَلاَ تَيْسٌ إِلاَّ أَنْ يَشَاءَ الْمُصَّدِّقُ . وَفِي الرِّقَةِ : فِي مِائَتَيْ دِرْهَمٍ رُبْعُ الْعُشْرِ ، فَإِنْ لَمْ تَكُنْ إِلاَّ تِسْعِينَ وَمِائَةً فَلَيْس فِيهَا صَدَقَةٌ إِلاَّ أَنْ يَشَاءَ رَبُّهَا ، وَمَنْ بَلَغَتْ عِنْدَهُ مِنَ الإِبِلِ صَدَقَةُ الْجَذَعَةِ ، وَلَيْسَتْ عِنْدَهُ جَذَعَةٌ وَعِنْدَهُ حِقَّةٌ ، فَإِنَّهَا تُقْبَلُ مِنْهُ ، وَيَجْعَلُ مَعَهَا شَاتَيْنِ إِنِ اسْتَيْسَرَتَا لَهُ ، أَوْ عِشْرِينَ دِرْهَمًا ، وَمَنْ بَلَغَتْ عِنْدَهُ صَدَقَةُ الْحِقَّةِ ، وَلَيْسَتْ عِنْدَهُ الْحِقَّةُ ، وَعِنْدَهُ الْجَذَعَةُ ، فَإِنَّهَا تُقْبَلُ مِنْهُ الْجَذَعَةُ ، وَيُعْطِيهِ الْمُصَّدِّقُ عِشْرِينَ دِرْهَمًا أَوْ شَاتَيْنِ». رَوَاهُ الْبُخَارِيُّ .

624. Anas (RAA) narrated that Abû Bakr As-Siddîq (RAA) wrote him this letter, "This is the obligatory *Zakâh,* which the Messenger of Allâh ﷺ made obligatory for every Muslim, and which Allâh, the Almighty had commanded him to observe. 'For each twenty-four camels, or less, their *Zakâh* is to be paid as sheep; for every five camels, their *Zakâh* is one sheep. When the amount of camels is between twenty -five to thirty- five, the due *Zakâh* is one she-camel *'bint makhâd'* (a camel which is one year old and just starting the second year) or a male camel *'ibn labûn'* (a young male camel which is two years old and already starting the third year). However, when the amount of camels reaches thirty-six, the due *Zakâh* is a young she-camel *'bint labûn'* (a young female camel, which is two years old and already starting the third year). When they reach forty six to sixty camels, their due *Zakâh* is a she camel *'hiqqah'* (which is three years old and starting the fourth). When they reach sixty-one to seventy-five, one

*'Jaz'ah'* (a four year old camel already starting its fifth year). When their number is between seventy-six to ninety camels, their due *Zakâh* is two young she camels *'bint labûn'*. When they are in the range between ninety-one to one hundred and twenty camels, the *Zakâh* is two young she camels *'hiqqah'*. If they are over a hundred and twenty camels, on every forty camels, one *'bint labûn'* is due. And for every fifty camels (over one hundred and twenty) a young she-camel *'hiqqah'* is due. And anyone, who has got only four camels, does not have to pay *Zakâh* unless he (the owner of the camels) wants to give something voluntarily.

Regarding the *Zakâh* of grazing sheep, if they are between forty and one hundred and twenty, one sheep is due as *Zakâh*. If they are between 120 and 200, two sheep are due. If they are between 200 and 300, three sheep are due. If they exceed three hundred sheep, then one sheep is due for every extra hundred grazing heads. If the grazing sheep are less than forty, (even if they are 39) then no *Zakâh* is due on them, unless he (the owner of the camels) wants to give something voluntarily.

One should not combine (i.e. gather young animals together) or separate them for fear of paying *Zakâh*.[188] When there is a mixture of cattle shared between two partners, and *Zakâh* is paid jointly between them, then they have to calculate it equally among them (depending on the share of each). Neither an old or a defective animal nor a male goat (a ram used for breeding) may be taken as *Zakâh*, unless the *Zakâh* collector wishes[189] to do so.

Concerning silver, the *Zakâh* paid is a quarter of a tenth for each 200 Dirhams. If the amount of silver is less than two hundred

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188- One way of doing this is when three people, each of them has forty sheep (i.e. one sheep is due on each). So, when the *Zakâh* collector comes, they put them together, which comes to 120 sheep., and they the due *Zakâh* is only one sheep. Or if two partners have 201 sheep, which means that 3 sheep are due, then they divide them between them, for each to give only one sheep.

189- The *Zakâh* collector should not take this last type, (the breeding ram) as this will harm the owner, but he may take any of these three if he has no other choice, as the old and the defective animal is not to be taken as *Zakâh* anyway. The same Arabic word used in the *Hadîth* could be read as *'al-Mussaddiq'*, which is the owner or the one who pays *Zakâh*. In this case the meaning would be 'the male –goat' may not be taken unless the owner permits it to be taken as *Zakâh*, as it is from his best animals.

Dirhams (even if it is 190) then no *Zakâh* is to be paid for it, unless the owner wishes to do so.

If the number of camels reaches the number on which a *jaz´ah* (a four year old camel already starting its fifth year) is due as *Zakâh*, but he only has a *'hiqqah'* (a she camel which is three years old and starting the fourth),it should be accepted from him along with two sheep if they were available (to compensate for the difference) or twenty Dirhams. If on the other hand he has to offer a *'hiqqah'* as *Zakâh*, but he only has a *jaz´ah*, it is accepted from him, and the *Zakâh* collector will then pay him the difference, which is twenty Dirhams or two female sheep.' Related by Al-Bukhârî.

٦٢٥ ـــ وَعَنْ مُعَاذِ بْنِ جَبَلٍ – رَضِيَ اللَّهُ عَنْهُ – : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بَعَثَهُ إِلَى الْيَمَنِ ، فَأَمَرَهُ أَنْ يَأْخُذَ مِنْ كُلِّ ثَلاَثِينَ بَقَرَةً تَبِيعًا أَوْ تَبِيعَةً ، وَمِنْ كُلِّ أَرْبَعِينَ مُسِنَّةً ، وَمِنْ كُلِّ حَالِمٍ دِينَارًا أَوْ عَدْلَهُ مُعَافِرِيًّا». رَوَاهُ الْخَمْسَةُ ، وَاللَّفْظُ لأَحْمَدَ ، وَحَسَّنَهُ التِّرْمِذِيُّ ، وَأَشَارَ إِلَى اخْتِلاَفٍ فِي وَصْلِهِ ، وَصَحَّحَهُ ابْنُ حِبَّانَ ، وَالْحَاكِمُ .

625. Mu´âdh bin Jabal (RAA) narrated, 'When the Messenger of Allâh ﷺ sent him to Yemen, he commanded him to take a *'tabî´'* (young bull) or *'tabî´ah'* (young cow, which is one year old), as *Zakâh* for every 30 cows. And for every forty cows, a *musinnah* (two year old cow) is due. Every non-Muslim who attained the age of puberty should pay one Dînâr or the equivalent from the *Mu´âfirî* clothes (made in a town in Yemen called *Ma´âfir*).'[190] Related by the Five Imâms and the wording is from Ahmad.

٦٢٦ ـــ وَعَنْ عَمْرِو بْنِ شُعَيْبٍ عَنْ أَبِيهِ عَنْ جَدِّهِ – رَضِيَ اللَّهُ عَنْهُمَا – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «تُؤْخَذُ صَدَقَاتُ الْمُسْلِمِينَ عَلَى مِيَاهِهِمْ». رَوَاهُ أَحْمَدُ ، وَلأَبِي دَاوُدَ أَيْضًا : «لاَ تُؤْخَذُ صَدَقَاتُهُمْ إِلاَّ فِي دُورِهِمْ».

626. ´Amro bin Shu´aib narrated on the authority of his father, who reported on the authority of his grand father (RAA) that the Messenger of Allâh ﷺ said, **"The *Zakâh* of the Muslims should be collected by their water trough."** Related by Ah-

190- This is paid by the people of the Scripture (Christians and Jews) as *Jizyah* or tax, as they are under the protection of a Muslim government.

mad. Abû Dawûd also has the narration, **"Their *Zakâh* should only be collected in their dwellings."**[191]

٦٢٧ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: «لَيْسَ عَلَى الْمُسْلِمِ فِي عَبْدِهِ، وَلَا فَرَسِهِ صَدَقَةٌ». رَوَاهُ الْبُخَارِيُّ، وَلِمُسْلِمٍ: «لَيْسَ فِي الْعَبْدِ صَدَقَةٌ إِلَّا صَدَقَةَ الْفِطْرِ».

627. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"No *Zakâh* is to be paid on one's horse** (that he rides) **or one's slave."** Related by Al-Bukhârî. Muslim also has the narration, **"There is no *Zakâh* to be paid on one's slave, except for *Zakât-ul-Fitr*** (which is paid at the end of *Ramadân*, and a Muslim must pay it on behalf of all of those he is responsible for)."

٦٢٨ ــ وَعَنْ بَهْزِ بْنِ حَكِيمٍ عَنْ أَبِيهِ عَنْ جَدِّهِ - رَضِيَ اللَّهُ عَنْهُمْ - قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: «فِي كُلِّ سَائِمَةِ إِبِلٍ: فِي أَرْبَعِينَ بِنْتُ لَبُونٍ، لَا تُفَرَّقُ إِبِلٌ عَنْ حِسَابِهَا، مَنْ أَعْطَاهَا مُؤْتَجِرًا بِهَا فَلَهُ أَجْرُهَا، وَمَنْ مَنَعَهَا فَإِنَّا آخِذُوهَا وَشَطْرَ مَالِهِ، عَزْمَةٌ مِنْ عَزَمَاتِ رَبِّنَا، لَا يَحِلُّ لِآلِ مُحَمَّدٍ مِنْهَا شَيْءٌ». رَوَاهُ أَحْمَدُ، وَأَبُو دَاوُدَ، وَالنَّسَائِيُّ، وَصَحَّحَهُ الْحَاكِمُ، وَعَلَّقَ الشَّافِعِيُّ الْقَوْلَ بِهِ عَلَى ثُبُوتِهِ.

628. Bahz bin Hakâm narrated on the authority of his father, who reported on the authority of his grandfather (RAA) that the Messenger of Allâh ﷺ said, **"For every forty camels, one *'bint labûn'*** (a young female camel which is two years old and already starting the third year), **is due as *Zakâh*. No camel is to be separated from the rest of the camels** (i.e. the jointly owned live stock as mentioned above). **Whoever gives it willingly, seeking his reward from Allâh, will be rewarded. (However) if someone refrains from paying it, it will be taken from him**

191- The point here is that the *Zakâh* collector goes to the payer in his dwelling to make it easier for him, or as some scholars said, that this is not to make the people bring their animals a long way from their water troughs or dwellings.

(by force) **along with part of his property** (as punishment), **for it is a right of Allâh. None of it is lawful for the family of Muhammad ﷺ."** Related by Ahmad, An-Nasâ'î, Abû Dawûd and Al-Hâkim rendered it *Sahîh*.

٦٢٩ ـــ وَعَـــنْ عَلـــيٍّ - رَضِـــيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّه صَلَّى اللَّهُ عَلَيْه وَسَـــلَّمَ : «إِذَا كَانَـــتْ لَـــكَ مائتَا دِرْهَمْ - وَحَالَ عَلَيْهَا الْحَوْلُ - فَفيهَا خَمْسَةُ دَرَاهِمَ ، وَلَيْسَ عَلَيْكَ شَيْءٌ حَتَّى يَكُونَ لَكَ عِشْرُونَ دِينَارًا ، وَحَالَ عَلَيْهَا الْحَوْلُ ، فَفِيهَا نِصْفُ دِينَارٍ ، فَمَا زَادَ فَبِحِسَابِ ذَلِكَ ، وَلَيْسَ فِي مَالٍ زَكَاةٌ حَتَّى يَحُولَ عَلَيْه الْحَوْلُ». رَوَاهُ أَبُو دَاوُدَ ، وَهُوَ حَسَنٌ ، وَقَدِ اخْتُلِفَ فِي رَفْعِه .

629. 'Alî (RAA) narrated that the Messenger of Allâh ﷺ said, **"When you possess two hundred Dirhams at the end of the year** (if you still have all of them), **five Dirhams are levied on them as *Zakâh*. There is nothing upon you** (to be paid) **in gold, until it reaches** (the value of) **twenty Dînârs. When you possess twenty Dînârs, at the end of the year, then there is half a Dînâr levied on it** (as *Zakâh*). **Any additional amount will be calculated in the same manner. No *Zakâh* is to be paid on monetary holdings, until they have been owned for one year.** Related by Abû Dawûd, who rendered it Hasan.

٦٣٠ ـــ وَلِلـــتِّرْمِذِيِّ عَنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - : «مَنِ اسْتَفَادَ مَالاً ، فَلاَ زَكَاةَ عَلَيْه حَتَّى يَحُولَ عَلَيْه الْحَوْلُ». وَالرَّاجِحُ وَقْفُهُ .

630. Ibn 'Umar (RAA) narrated, 'Whoever earns any money, he is not liable to pay *Zakâh*, until the period of a year has passed (while still possessing the same amount of money).' Related by At-Tirmidhî.

٦٣١ ـــ وَعَـــنْ عَلـــيٍّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «لَيْسَ فِي الْبَقَرِ الْعَوَامِلِ صَدَقَةٌ». رَوَاهُ أَبُو دَاوُدَ ، وَالدَّارَقُطْنِيُّ ، وَالرَّاجِحُ وَقْفُهُ أَيْضًا .

631. 'Alî (RAA) narrated that, 'There is no *Zakâh* to be paid on working cattle.' Related by Abû Dawûd and Ad-Dâraqutnî.

٦٣٢ ـــ وَعَـــنْ عَمْرِو بْنِ شُعَيْبٍ عَنْ أَبِيهِ عَنْ جَدِّهِ عَبْدِ اللَّهِ بْنِ عَمْرٍو - رَضِيَ اللَّهُ عَنْهُمَا - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «مَنْ وَلِيَ يَتِيمًا لَهُ مَالٌ ، فَلْيَتَّجِرْ لَهُ وَلاَ يَتْرُكْهُ حَتَّى تَأْكُلَهُ الصَّدَقَةُ». رَوَاهُ التِّرْمِذِيُّ ، وَالدَّارَقُطْنِيُّ ، وَإِسْنَادُهُ ضَعِيفٌ ، وَلَهُ شَاهِدٌ مُرْسَلٌ عِنْدَ الشَّافِعِيِّ .

632. ´Amro bin Shu´aib narrated on the authority of his father who reported on the authority of his grand father, on the authority of ´Abdullâh bin ´Amro (RAA) that the Messenger of Allâh ﷺ said, **"One who becomes the guardian of an orphan, who owns property, must trade on his behalf and not leave it** (saved and unused) **until it is all eaten up by *Zakâh*** (which is paid yearly)." Related by At-Tirmidhî and Ad-*Dâraqutnî* with a weak chain of narrators.

٦٣٣ ـــ وَعَنْ عَبْدِ اللَّهِ بْنِ أَبِي أَوْفَى قَالَ : كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِذَا أَتَاهُ قَوْمٌ بِصَدَقَتِهِمْ قَالَ : «اللَّهُمَّ صَلِّ عَلَيْهِمْ». مُتَّفَقٌ عَلَيْهِ .

633. ´Abdullâh bin Abî Aufâ (RAA) narrated, 'Whenever a person came to the Messenger of Allâh ﷺ with their *Zakâh*, he would say, **"O Allâh! Send your blessings upon them."** Agreed upon.

٦٣٤ ـــ وَعَـــنْ عَلِـــيٍّ - رَضِـــيَ اللَّـــهُ عَنْهُ - : «أَنَّ الْعَبَّاسَ سَأَلَ النَّبِيَّ صَلَّى اللَّهُ عَلَـــيْهِ وَسَـــلَّمَ فِـــي تَعْجِـــيلِ صَدَقَتِهِ قَبْلَ أَنْ تَحِلَّ ، فَرَخَّصَ لَهُ فِي ذَلِكَ». رَوَاهُ التِّرْمِذِيُّ ، وَالْحَاكِمُ .

634. ´Alî (RAA) narrated that al-´Abbâs (RAA) asked the Messenger of Allâh ﷺ to allow him to pay his *Zakâh* before its due date, and he gave him permission to do so.' Related by At-Tirmidhî and Al-Hâkim.

٦٣٥ ـــ وَعَـــنْ جَابِرٍ عَنْ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لَيْسَ فِيمَا دُونَ خَمْـــسِ أَوَاقٍ مِـــنَ الْوَرِقِ صَدَقَةٌ ، وَلَيْسَ فِيمَا دُونَ خَمْسِ ذَوْدٍ مِنَ الإِبِلِ صَدَقَةٌ ، وَلَيْسَ فِيمَا دُونَ خَمْسَةِ أَوْسُقٍ مِنَ التَّمْرِ صَدَقَةٌ». رَوَاهُ مُسْلِمٌ .

635. Jâbir (RAA) narrated that the Messenger of Allâh ﷺ

said, **"There is no *Zakâh* to be paid on less than five ounces of silver, less than five camels or less than five *Awsuq*[192] of dates."** Related by Muslim.

٦٣٦ ــ وَلَــهُ مِنْ حَدِيث أَبِي سَعِيد - رَضِيَ اللَّهُ عَنْهُ - : «لَيْسَ فِيمَا دُونَ خَمْسَةِ أَوْسُقٍ مِنْ تَمْرٍ وَلاَ حَبٍّ صَدَقَةٌ». وَأَصْلُ حَدِيث أَبِي سَعِيد ، مُتَّفَقٌ عَلَيْهِ .

636. Abû Sa'îd Al-Khudrî (RAA) narrated that the Messenger of Allâh ﷺ said, **"There is no *Zakâh to be paid* on any amount of dates or grain less than five *Awsuq*."** Agreed upon.

٦٣٧ ــ وَعَنْ سَالِمِ بْنِ عَبْدِ اللَّهِ عَنْ أَبِيهِ - رَضِيَ اللَّهُ عَنْهُمَا - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَــيْهِ وَسَلَّمَ قَالَ : «فِيمَا سَقَتِ السَّمَاءُ وَالْعُيُونُ أَوْ كَانَ عَثَرِيًّا الْعُشْرُ ، وَفِيمَا سُقِيَ بِالنَّضْحِ نِصْفُ الْعُشْرِ». رَوَاهُ الْبُخَارِيُّ ، وَلأَبِي دَاوُدَ : «إِذَا كَانَ بَعْلاً الْعُشْرُ ، وَفِيمَا سُقِيَ بِالسَّوَانِي أَوِ النَّضْحِ نِصْفُ الْعُشْرِ».

637. Sâlim bin 'Abdullâh narrated on the authority of his father (RAA) that the Messenger of Allâh ﷺ said, **"A tithe is due as *Zakâh*, on every plant watered by heaven** (rain water), **springs, or underground water** (i.e. watered without effort). **While half a tithe is paid on what is watered by irrigation** (i.e. machines are used)**."** Related by Al-Bukhârî. Abû Dawûd added in his narration, **"When it is watered by underground water** (close to the surface and keeping the land wet), **a tithe is paid, but half a tithe is paid when the land is watered by wheels or animals."**

٦٣٨ ــ وَعَــنْ أَبِي مُوسَى الأَشْعَرِيِّ وَمُعَاذ - رَضِيَ اللَّهُ عَنْهُمَا - أَنَّ النَّبِيَّ صَلَّى اللَّــهُ عَلَيْهِ وَسَلَّمَ قَالَ لَهُمَا : «لاَ تَأْخُذَا فِي الصَّدَقَةِ إِلاَّ مِنْ هَذِهِ الأَصْنَافِ الأَرْبَعَةِ : الشَّعِيرِ ، وَالْحِنْطَةِ ، وَالزَّبِيبِ ، وَالتَّمْرِ». رَوَاهُ الطَّبَرَانِيُّ ، وَالْحَاكِمُ .

638. Abû Mûsâ Al-Ash'arî and Mu'âdh (RAA) narrated that

192- A *wasaq* is equivalent to sixty *sâ'as* (a cubic measure of varying magnitude). Five *Awsuq* is equivalent to 50 Egyptian *kaylah* (one *Kaylah* is a dry measure for grain, 50 *Kaylah* is equivalent to 653 gm of wheat.

the Messenger of Allâh ﷺ said to them,**"Do not take any *Zakâh* except on these four crops: barley, wheat, raisins and dates."** Related by At-Tabarânî and Al-Hâkim.

٦٣٩ ــ وَلِلدَّارَقُطْنِيِّ ، عَنْ مُعَاذ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «فَأَمَّا الْقِثَّاءُ ، وَالْبِطِّيخُ وَالرُّمَّانُ وَالْقَصَبُ ، فَقَدْ عَفَا عَنْهُ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ». وَإِسْنَادُهُ ضَعِيفٌ.

639. Imâm Ad-Dâraqutnî related on the authority of Mu´âdh (RAA), 'As for cucumbers, watermelons, pomegranates, and sugarcane, the Messenger of Allâh ﷺ has exempted them from *Zakâh*.' It is transmitted with a weak chain of narrators.

٦٤٠ ــ وَعَنْ سَهْلِ بْنِ أَبِي حَثْمَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : أَمَرَنَا رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا خَرَصْتُمْ فَخُذُوا وَدَعُوا الثُّلُثَ ، فَإِنْ لَمْ تَدَعُوا الثُّلُثَ فَدَعُوا الرُّبُعَ». رَوَاهُ الْخَمْسَةُ إِلاَّ ابْنُ مَاجَهْ ، وَصَحَّحَهُ ابْنُ حِبَّانَ ، وَالْحَاكِمُ .

640. Sahl bin Abî Hathmah (RAA) narrated, 'We were commanded by the Messenger of Allâh, **'Whenever you assess the amount of something, estimate the [*Zakâh*] and ignore one-third. If you do not, then leave(at least) one fourth."** Related by the five Imâms, except for Ibn Mâjah.

٦٤١ ــ وَعَنْ عَتَّابِ بْنِ أَسِيدٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «أَمَرَ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : أَنْ يُخْرَصَ الْعِنَبُ كَمَا يُخْرَصُ النَّخْلُ ، وَتُؤْخَذَ زَكَاتُهُ زَبِيبًا». رَوَاهُ الْخَمْسَةُ ، وَفِيهِ انْقِطَاعٌ .

641. ´Attâb bin Usaid (RAA) narrated that the Messenger of Allâh ﷺ commanded us, **"Grapevines are to be estimated exactly as palm trees, and its *Zakâh* is taken in raisins."**[193] Related by the five Imâms.

193- The point in ignoring a third or a fourth of the produce is a reprieve for property owners since they, their guests, and their neighbors need to eat from it. Also, the produce is exposed to birds feeding, passers-by taking some, and being blown away by the wind. An estimation of the total

٦٤٢ ـــ وَعَـــنْ عَمْـــرِو بْنِ شُعَيْبٍ عَنْ أَبِيهِ عَنْ جَدِّهِ - رَضِيَ اللَّهُ عَنْهُمَا - : أَنَّ امْرَأَةً أَتَتِ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، وَمَعَهَا ابْنَةٌ لَهَا ، وَفِي يَدِ ابْنَتِهَا مَسَكَتَانِ مِنْ ذَهَبٍ ، فَقَالَ لَهَا : «أَتُعْطِينَ زَكَاةَ هَذَا ؟» قَالَتْ : لاَ ، قَالَ : «أَيَسُرُّكِ أَنْ يُسَوِّرَكِ اللَّـــهُ بِهِمَا يَوْمَ الْقِيَامَةِ سِوَارَيْنِ مِنْ نَارٍ ؟» فَأَلْقَتْهُمَا . رَوَاهُ الثَّلاَثَةُ ، وَإِسْنَادُهُ قَوِيٌّ ، وَصَحَّحَهُ الْحَاكِمُ مِنْ حَدِيثِ عَائِشَةَ .

642. 'Amro bin Shu'aib narrated on the authority of his father, who reported on the authority of his grand father (RAA) that a woman came to the Messenger of Allâh ﷺ accompanied by her daughter, who wore two heavy gold bangles. He said to her, **"Do you pay *Zakâh* on them?"** She said, 'No.' He then said, **"Are you pleased that Allâh may put two bangles of fire on your wrist on the Day of Judgment?"** She then threw them away. Related by the three Imâms with a strong chain of narrators.

٦٤٣ ـــ وَعَـــنْ أُمِّ سَـــلَمَةَ - رَضِـــيَ اللَّهُ عَنْهَا - أَنَّهَا كَانَتْ تَلْبَسُ أَوْضَاحًا مِنْ ذَهَـــبٍ فَقَالَتْ : يَا رَسُولَ اللَّهِ ، أَكَنْزٌ هُوَ ؟ قَالَ : «إِذَا أَدَّيْتِ زَكَاتَهُ فَلَيْسَ بِكَنْزٍ». رَوَاهُ أَبُو دَاوُدَ ، وَالدَّارَقُطْنِيُّ ، وَصَحَّحَهُ الْحَاكِمُ .

643. Umm Salamah (RAA) narrated that she was wearing golden ornaments and asked the Messenger of Allâh ﷺ, 'Is it considered as a treasure?' He said, **"If you pay the due *Zakâh*, then it is not considered as a treasure."** Related by Abû Dawûd and Ad-*Dâraqutnî*.

٦٤٤ ـــ وَعَنْ سَمُرَةَ بْنِ جُنْدَبٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «كَانَ رَسُولُ اللَّهِ صَلَّى اللَّـــهُ عَلَـــيْهِ وَسَلَّمَ يَأْمُرُنَا أَنْ نُخْرِجَ الصَّدَقَةَ مِنَ الَّذِي نُعِدُّهُ لِلْبَيْعِ». رَوَاهُ أَبُو دَاوُدَ ، وَإِسْنَادُهُ لَيِّنٌ .

644. Samurah bin Jundub (RAA) narrated that the Messenger of Allâh ﷺ, used to command us to pay *Zakâh* from (the goods) we had prepared for sale. Related by Abû Dawûd with a weak chain of narrators.

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amount of *Zakâh* on all the produce without excluding a third or a fourth of it, would affect the interests of the owners.

٦٤٥ ـــ وَعَـــنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «وَفِي الرِّكَازِ الْخُمُسُ». مُتَّفَقٌ عَلَيْهِ .

645. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"One fifth is compulsory to be paid** (as *Zakâh*) **on buried treasure."** Agreed upon.

٦٤٦ ـــ وَعَنْ عَمْرِو بْنِ شُعَيْبٍ عَنْ أَبِيهِ عَنْ جَدِّهِ - رَضِيَ اللَّهُ عَنْهُمَا - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ - فِي كَنْزٍ وَجَدَهُ رَجُلٌ فِي خَرِبَةٍ - : «إِنْ وَجَدْتَهُ فِي قَرْيَةٍ مَسْكُونَةٍ فَعَرِّفْهُ ، وَإِنْ وَجَدْتَهُ فِي قَرْيَةٍ غَيْرِ مَسْكُونَةٍ فَفِيهِ وَفِي الرِّكَازِ الْخُمُسُ». أَخْرَجَهُ ابْنُ مَاجَهْ بِإِسْنَادٍ حَسَنٍ .

646. ´Amro bin Shu´aib narrated on the authority of his father, who reported on the authority of his grand father (RAA) that the Messenger of Allâh ﷺ was asked about a treasure that was found by a man in some ruined land, and he said to him, **"If you found it in an inhabited village, then you must advertise its having been found. However, if he found it in an uninhabited village, then on it and the rest of the discovered treasure one fifth is payable as *Zakâh*."** Related by Ibn Mâjah with a reliable chain of narrators.

٦٤٧ ـــ وَعَـــنْ بِلَالِ بْنِ الْحَارِثِ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَخَذَ مِنَ الْمَعَادِنِ الْقَبَلِيَّةِ الصَّدَقَةَ». رَوَاهُ أَبُو دَاوُدَ .

647. Bilâl bin Al-Hârith (RAA) narrated that the Messenger of Allâh ﷺ took *Zakâh* from the mines of *Qabâliyah*.[194]

194- *Qabâl* is a location on the shores of the Red Sea, five days traveling from Madînah.

# بَـــابُ صَدَقَـــةِ الْفِطْـــرِ

## *Chapter II: Sadaqatul Fitr (Zakâh paid at the end of Ramadân)*

٦٤٨ ـــ عَـــنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : «فَرَضَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَـــيْهِ وَسَـــلَّمَ زَكَاةَ الْفِطْرِ صَاعًا مِنْ تَمْرٍ أَوْ صَاعًا مِنْ شَعِيرٍ : عَلَى الْعَبْدِ وَالْحُرِّ ، وَالذَّكَـــرِ ، وَالأُنْثَى ، وَالصَّغِيرِ ، وَالْكَبِيرِ ، مِنَ الْمُسْلِمِينَ ، وَأَمَرَ بِهَا أَنْ تُؤَدَّى قَبْلَ خُرُوجِ النَّاسِ إِلَى الصَّلاَةِ». مُتَّفَقٌ عَلَيْهِ .

648. Ibn 'Umar (RAA) narrated, 'The Messenger of Allâh ﷺ enjoined the payment of one *sâ'*[195] of dates or one *sâ'* of barley as *Zakât-ul-fitr* on every Muslim, slave or free, male or female, young or old, and he ordered that it be paid before the people went out to offer the *'Îd* prayer.' Agreed upon.

٦٤٩ ـــ وَلابْـــنِ عَـــدِيٍّ ، وَالدَّارَقُطْنِيِّ بِإِسْنَادٍ ضَعِيفٍ : «أَغْنُوهُمْ عَنِ الطَّوَافِ فِي هَذَا الْيَوْمِ».

649. Ibn 'Adî and Ad-Dâraqutnî also related on the authority of Ibn 'Umar but with a weak chain of narrators, "Save them (i.e. the poor) wondering around (in the markets and the streets asking for food) on that day."

٦٥٠ ـــ وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «كُنَّا نُعْطِيهَا فِي زَمَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ صَاعًا مِنْ طَعَامٍ ، أَوْ صَاعًا مِنْ تَمْرٍ ، أَوْ صَاعًا مِنْ شَعِيرٍ ، أَوْ صَـــاعًا مِـــنْ زَبِيـــبٍ». مُـــتَّفَقٌ عَلَيْهِ . وَفِي رِوَايَةٍ : «أَوْ صَاعًا مِنْ أَقِطٍ». قَالَ أَبُـــو سَعِيدٍ : «أَمَّا أَنَا فَلاَ أَزَالُ أُخْرِجُهُ كَمَا كُنْتُ أُخْرِجُهُ فِي زَمَنِ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ». وَلأَبِي دَاوُدَ : «لاَ أُخْرِجُ أَبَدًا إِلاَّ صَاعًا».

650. Abû Sa'îd Al-Khudrî (RAA) narrated, "We used to offer it (*Zakât-ul-fitr*) during the lifetime of the Prophet ﷺ as one *sâ'* of

195- One *Sâ'* = approximately 3 kilograms.

food or one sâ´ of dates, or one sâ´ of barley or one sâ´ of raisins." Agreed upon.

In another narration, "or one sâ´ of dried cottage cheese." Abû Sa´îd then added, "As for myself, I would continue to give it as I used to give during the time of the Prophet ﷺ."[196]

Abû Dawûd also transmitted on the authority of Abû Sa´îd, "I would never give but a sâ´."

٦٥١ ــ وَعَنِ ابْنِ عَبَّاسٍ – رَضِيَ اللَّهُ عَنْهُمَا – قَالَ : «فَرَضَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ زَكَاةَ الْفِطْرِ ، طُهْرَةً لِلصَّائِمِ مِنَ اللَّغْوِ ، وَالرَّفَثِ ، وَطُعْمَةً لِلْمَسَاكِينِ ، فَمَنْ أَدَّاهَا قَبْلَ الصَّلاَةِ فَهِيَ زَكَاةٌ مَقْبُولَةٌ ، وَمَنْ أَدَّاهَا بَعْدَ الصَّلاَةِ فَهِيَ صَدَقَةٌ مِنَ الصَّدَقَاتِ». رَوَاهُ أَبُو دَاوُدَ ، وَابْنُ مَاجَهْ ، وَصَحَّحَهُ الْحَاكِمُ .

651. Ibn ´Abbâs (RAA) narrated, 'The Messenger of Allâh ﷺ enjoined *Zakât-ul-fitr* on the one who fasts (i.e. fasted during the month of *Ramadân*) to purify him from any indecent act or speech and for the purpose of providing food for the needy. It is accepted as *Zakâh* for the person who pays it before the *´Îd* prayer and it is *Sadaqah* (i.e. voluntary charity) for the person who pays it after the *´Îd* prayer.' Related by Abû Dawûd and Ibn Mâjah and Al-Hâkim graded it as *Sahîh*..

## بَــابُ صَدَقَــةِ التَّطَــوُّعِ

## *Chapter III: Sadaqat at-Tatawu´ or Voluntary Charity*

٦٥٢ ــ عَــنْ أَبِــي هُرَيْــرَةَ – رَضِيَ اللَّهُ عَنْهُ – عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : « سَبْعَةٌ يُظِلُّهُمُ اللَّهُ فِي ظِلِّهِ يَوْمَ لاَ ظِلَّ إِلاَّ ظِلُّهُ » – فَذَكَرَ الْحَدِيثَ – وَفِيهِ :

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196- The rest of this narration goes, "continued to do so until Mu'âwiyah came to us to perform pilgrimage; *hajj* or *'umrah*. He then addressed the people from the pulpit and said to them: "I see that two *mudds* of wheat from Syria equals one sâ´ of dates. The people accepted that." Abû Sa´îd then contended, "As for myself..."Two *mudds* are equivalent to half a sâ´, that is why Abû Sa´îd insisted on giving one full sâ´ as he used to do during the lifetime of the Prophet ﷺ

«وَرَجُلٌ تَصَدَّقَ بِصَدَقَةٍ فَأَخْفَاهَا حَتَّى لاَ تَعْلَمَ شِمَالُهُ مَا تُنْفِقُ يَمِينُهُ». مُتَّفَقٌ عَلَيْهِ .

652. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"Seven people will be shaded by Allâh under His shade on the day when there will be no shade except His...."** He mentioned the rest of the hadîth, which says, **"and a man who gives charity so secretly that his left hand does not know what his right hand has given."** (i.e. nobody knows how much he has given in charity). Agreed upon.

٦٥٣ ــ وَعَنْ عُقْبَةَ بْنِ عَامِرٍ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ : «كُلُّ امْرِيءٍ فِي ظِلِّ صَدَقَتِهِ حَتَّى يُفْصَلَ بَيْنَ النَّاسِ». رَوَاهُ ابْنُ حِبَّانَ ، وَالْحَاكِمُ .

653. 'Uqbah Ibn 'Âmir (RAA) narrated, 'I heard the Messenger of Allâh ﷺ say, **"Everybody will be shaded by his *Sadaqah* (on the Day of Judgment) until it has been judged between the people."** Related by Ibn Hibbân and Al-Hâkim.

٦٥٤ ــ وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ – رَضِيَ اللَّهُ عَنْهُ – عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «أَيُّمَا مُسْلِمٍ كَسَا مُسْلِمًا ثَوْبًا عَلَى عُرْيٍ كَسَاهُ اللَّهُ مِنْ خُضْرِ الْجَنَّةِ ، وَأَيُّمَا مُسْلِمٍ أَطْعَمَ مُسْلِمًا عَلَى جُوعٍ أَطْعَمَهُ اللَّهُ مِنْ ثِمَارِ الْجَنَّةِ ، وَأَيُّمَا مُسْلِمٍ سَقَى مُسْلِمًا عَلَى ظَمَإٍ سَقَاهُ اللَّهُ مِنَ الرَّحِيقِ الْمَخْتُومِ». رَوَاهُ أَبُو دَاوُدَ ، وَفِي إِسْنَادِهِ لِينٌ .

654. Abû Sa'îd Al-Khudrî (RAA) narrated that the Prophet ﷺ said, **"Any Muslim who clothes another Muslim who is naked, Allâh will clothe him from the green garments of Paradise. Any Muslim who feeds a Muslim who is hungry, Allâh will feed him from the fruit of Paradise, and any Muslim who gives drink to a Muslim who is thirsty, Allâh will give him a drink from the Sealed Nectar."**[197] Related by Abû Dawûd with a weak chain of narrators.

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197. This is the pure and clear white wine, which the believers will drink in Paradise, but it will not make them intoxicated as the wine of this worldly life. It is kept in sealed containers that will only be undone by their owners.

٦٥٥ ــ وَعَــنْ حَكِيمِ بْنِ حِزَامٍ – رَضِيَ اللَّهُ عَنْهُ – عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَــالَ : «الْيَدُ الْعُلْيَا خَيْرٌ مِنَ الْيَدِ السُّفْلَى ، وَابْدَأْ بِمَنْ تَعُولُ ، وَخَيْرُ الصَّدَقَةِ مَا كَانَ عَــنْ ظَهْــرِ غِنًى ، وَمَنْ يَسْتَعْفِفْ يُعِفَّهُ اللَّهُ ، وَمَنْ يَسْتَغْنِ يُغْنِهِ اللَّهُ». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِلْبُخَارِيِّ .

655. Hakîm bin Hizâm (RAA) narrated that the Messenger of Allâh ﷺ said,**"The upper hand is better than the lower hand (i.e. he who gives in charity is better than he who takes it). One should begin by giving to his dependents. And the best *Sadaqah*** (charity) **is that, which is given by a wealthy person (from the money which is left over after his expenses). And whoever abstains from asking others for some financial help, Allâh will provide for him and save him from asking others; Allâh will make him self-sufficient."** Agreed upon and this version is of al-Bukhârî.

٦٥٦ ــ وَعَنْ أَبِي هُرَيْرَةَ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : قِيلَ يَا رَسُولَ اللَّهِ ، أَيُّ الصَّدَقَةِ أَفْضَــلُ ؟ قَــالَ : «جُهْــدُ الْمُقِلِّ ، وَابْدَأْ بِمَنْ تَعُولُ». أَخْرَجَهُ أَحْمَدُ ، وَأَبُو دَاوُدَ وَصَحَّحَهُ ابْنُ خُزَيْمَةَ ، وَابْنُ حِبَّانَ ، وَالْحَاكِمُ .

656. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ was asked, 'Which kind of *Sadaqah* is better? He replied, **"That which is given by one who does not have much property. And begin by giving to your dependents."** Related by Ahmad, and Abû Dawûd. Ibn Khuzaimah, Ibn Hibbân and Al-Hâkim graded it as *Sahîh*.

٦٥٧ ــ وَعَــنْهُ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «تَصَــدَّقُوا» فَقَــالَ رَجُلٌ : يَا رَسُولَ اللَّهِ ، عِنْدِي دِينَارٌ ؟ قَالَ : «تَصَدَّقْ بِهِ عَلَى نَفْسِكَ» ، قَالَ : عِنْدِي آخَرُ ، قَالَ : «تَصَدَّقْ بِهِ عَلَى وَلَدِكَ» ، قَالَ : عِنْدِي آخَرُ ، قَــالَ : «تَصَــدَّقْ بِهِ عَلَى زَوْجَتِكَ» ، قَالَ : عِنْدِي آخَرُ ، قَالَ : «تَصَدَّقْ بِهِ عَلَى خَادِمِكَ» ، قَالَ : عِنْدِي آخَرُ ، قَالَ :«أَنْتَ أَبْصَرُ بِهِ» .رَوَاهُ أَبُو دَاوُدَ ، وَالنَّسَائِيُّ ، وَصَحَّحَهُ ابْنُ حِبَّانَ ، وَالْحَاكِمُ .

657. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"Give *Sadaqah*."** A man then said, 'Allâh's Messenger, I have a Dînâr.' He then said to him, **"Give it to yourself as *Sadaqah*."** The man again said, 'I have another one.' The Messenger of Allâh ﷺ said, **"Give it to your children as *Sadaqah*."** He said, 'I have another one.' He said, **"Give it to your wife as *Sadaqah*."** The man again said, 'I have another one.' The Messenger of Allâh ﷺ said, **"Give it to your servant as *Sadaqah*."** He said, 'I have another one.' The Messenger of Allâh ﷺ said, **"You know better to whom you should give it."** Related by Abû Dawûd and An-Nasâ'î. Ibn Hibbân and Al-Hâkim regarded it as *Sahîh*.

٦٥٨ ــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : قَالَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا أَنْفَقَتِ الْمَرْأَةُ مِنْ طَعَامِ بَيْتِهَا ، غَيْرَ مُفْسِدَةٍ ، كَانَ لَهَا أَجْرُهَا بِمَا أَنْفَقَتْ وَلِزَوْجِهَا أَجْرُهُ بِمَا اكْتَسَبَ ، وَلِلْخَازِنِ مِثْلُ ذَلِكَ ، لاَ يَنْقُصُ بَعْضُهُمْ مِنْ أَجْرِ بَعْضٍ شَيْئًا». مُتَّفَقٌ عَلَيْهِ .

658. 'Â'ishah (RAA) narrated that the Messenger of Allâh ﷺ said, **"When a woman gives some of the foodstuff (which she has in her house) in charity without being extravagant** (without being wasteful), **she will receive the reward for what she has spent, and her husband will receive the reward because of his earning, and the keeper** (if any) **will be similarly rewarded. The reward of one will not decrease the reward of the others."** Agreed upon.

٦٥٩ ــ وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : جَاءَتْ زَيْنَبُ امْرَأَةُ ابْنِ مَسْعُودٍ ، فَقَالَت : يَا رَسُولَ اللَّهِ ، إِنَّكَ أَمَرْتَ الْيَوْمَ بِالصَّدَقَةِ ، وَكَانَ عِنْدِي حُلِيٌّ لِي ، فَأَرَدْتُ أَنْ أَتَصَدَّقَ بِهِ ، فَزَعَمَ ابْنُ مَسْعُودٍ أَنَّهُ وَوَلَدَهُ أَحَقُّ مَنْ أَتَصَدَّقُ بِهِ عَلَيْهِمْ ، فَقَالَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «صَدَقَ ابْنُ مَسْعُودٍ ، زَوْجُكِ وَوَلَدُكِ أَحَقُّ مَنْ تَصَدَّقْتِ بِهِ عَلَيْهِمْ». رَوَاهُ الْبُخَارِيُّ .

659. Abû Sa'îd (RAA) narrated,'Zainab the wife of Ibn Mas'ûd came along and said to the Prophet ﷺ, "O Messenger of Allâh!

You have commanded us today to give *Sadaqah* (charity). I have some jewelry of mine and I wanted to give it as *Sadaqah*, but Ibn Mas'ûd claims that he and his children are the most entitled to my *Sadaqah*. (deserve it more than anyone else.)' The Messenger of Allâh ﷺ said, **"Ibn Mas'ûd is right. Your husband and your children are more deserving."** Related by Al-Bukhârî.

٦٦٠ ـــ وَعَنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ يَزَالُ الرَّجُلُ يَسْأَلُ النَّاسَ حَتَّى يَأْتِيَ يَوْمَ الْقِيَامَةِ ، وَلَيْسَ فِي وَجْهِهِ مُزْعَةُ لَحْمٍ». مُتَّفَقٌ عَلَيْهِ .

660. Ibn 'Umar (RAA) narrated that the Messenger of Allâh ﷺ said, **"A man who persists in begging people to give him charity, will come on the Day of Judgment and there will not be a piece of flesh on his face."**[198] Agreed upon.

٦٦١ ـــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ يَسْأَلِ النَّاسَ أَمْوَالَهُمْ تَكَثُّرًا ، فَإِنَّمَا يَسْأَلُ جَمْرًا ، فَلْيَسْتَقِلَّ أَوْ لِيَسْتَكْثِرْ». رَوَاهُ مُسْلِمٌ .

661. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"He who asks others to give to him in order to increase his own wealth, is akin to one who asks for live coals. He who wishes to have more, let him have it and he who wishes to have less, let him have it."** Related by Muslim.

٦٦٢ ـــ وَعَنِ الزُّبَيْرِ بْنِ الْعَوَّامِ - رَضِيَ اللَّهُ عَنْهُ - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لأَنْ يَأْخُذَ أَحَدُكُمْ حَبْلَهُ ، فَيَأْتِيَ بِحُزْمَةٍ مِنَ الْحَطَبِ عَلَى ظَهْرِهِ ، فَيَبِيعَهَا ، فَيَكُفَّ بِهَا وَجْهَهُ ، خَيْرٌ لَهُ مِنْ أَنْ يَسْأَلَ النَّاسَ أَعْطَوْهُ أَوْ مَنَعُوهُ». رَوَاهُ الْبُخَارِيُّ .

662. Az-Zubair bin Al-'Awwâm (RAA) narrated that the Mes-

198- This hadîth means to show the ugliness of begging where there is no real necessity, which makes the person loose his pride so that he comes on the Day of Judgment without any flesh on his face. The Qur'ân praised those whom one thinks they are rich because of their modesty, as they do not beg people in spite of their need. (2:274-275)

senger of Allâh ﷺ said, **"It is better for any of you to take a rope and cut some wood** (from the forest) **and carry it over his back and sell it, to preserve his dignity** (as he is earning his own living)**, rather than ask a person for something and that person may give him or not."** Related by Al-Bukhârî.

٦٦٣ ـــ وَعَنْ سَمُرَةَ بْنِ جُنْدَب - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّه صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «الْمَسْأَلَةُ كَدٌّ يَكُدُّ بِهَا الرَّجُلُ وَجْهَهُ ، إلاَّ أَنْ يَسْأَلَ الرَّجُلُ سُلْطَانًا ، أَوْ فِي أَمْرٍ لاَ بُدَّ مِنْهُ». رَوَاهُ التِّرْمِذِيُّ ، وَصَحَّحَهُ .

663. Samurah bin Jundub (RAA) narrated that the Messenger of Allâh ﷺ said, **"Begging is like a scratch with which a man scratches his face; unless one is asking the ruler or in the case of dire necessity."** Related by at-Tirmidhî, who regarded it as Sahîh.

## بَـــابُ قَسْـــمِ الصَّدَقَـــاتِ

## *Chapter IV: Division of Zakâh (Zakâh recipients)*

٦٦٤ ـــ عَـــنْ أَبِي سَعِيد الْخُدْرِيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّه صَلَّى اللَّـــهُ عَلَـــيْه وَسَلَّمَ : «لاَ تَحِلُّ الصَّدَقَةُ لِغَنِيٍّ إلاَّ لِخَمْسَة : لِعَامِلٍ عَلَيْهَا ، أَوْ رَجُلٍ اشْـــتَرَاهَا بِمَالِه ، أَوْ غَارِمٍ ، أَوْ غَازٍ فِي سَبِيلِ اللَّه ، أَوْ مِسْكِينٍ تُصُدِّقَ عَلَيْه مِنْهَا ، فَـــأَهْدَى مِنْهَا لِغَنِيٍّ». رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَابْنُ مَاجَهْ ، وَصَحَّحَهُ الْحَاكِمُ ، وَأُعِلَّ بِالإِرْسَالِ .

664. Abû Sa'îd Al-Khudrî narrated that the Messenger of Allâh ﷺ said, **"*Zakâh* is not allowed for the well-off person except for one of the following five: an administrator of *Zakâh*, a man who buys *Zakâh* holdings with his money, a person who is in debt, a fighter in the cause of Allâh, or a rich person who is given a present by a needy *(miskîn)* person which the latter had been given as *Zakâh*."** Related by Ahmad, Abû Dawûd, Ibn Mâjah, and Al-Hâkim regarded it as Sahîh.

٦٦٥ ـــ وَعَـــنْ عُبَيْدِ اللَّهِ بْنِ عَدِيِّ بْنِ الْخِيَارِ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ رَجُلَيْنِ حَدَّثَاهُ أَنَّهُمَا أَتَيَا رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَسْأَلانِهِ مِنَ الصَّدَقَةِ ، فَقَلَّبَ فِيهِمَا النَّظَرَ ، فَـــرَآهُمَا جَلْدَيْنِ ، فَقَالَ : «إِنْ شِئْتُمَا أَعْطَيْتُكُمَا ، وَلاَ حَظَّ فِيهَا لِغَنِيٍّ ، وَلاَ لِقَوِيٍّ مُكْتَسِبٍ». رَوَاهُ أَحْمَدُ ، وَقَوَّاهُ أَبُو دَاوُدَ ، وَالنَّسَائِيُّ .

665. 'Ubaidullâh bin 'Adî bin Al-Khiyâr (RAA) narrated that two men told him that they had gone to the Messenger of Allâh ﷺ asking him to give them something from the *Zakâh* money (as he was distributing it at that time). The Messenger of Allâh ﷺ then looked them up and down and found them to be sturdy and strong. He then said to them, **"If you desire, I shall give it to you, but this *Zakâh* is not for one who is rich, neither for the one who is strong and able to earn."** Related by Ahmad, Abû Dawûd and An-Nasâ'î. .

٦٦٦ ـــ وَعَنْ قَبِيصَةَ بْنِ مُخَارِقٍ الْهِلاَلِيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِنَّ الْمَسْأَلَةَ لاَ تَحِلُّ إِلاَّ لأَحَدِ ثَلاَثَةٍ : رَجُلٍ تَحَمَّلَ حَمَالَةً ، فَحَلَّتْ لَهُ الْمَسْأَلَةُ حَتَّى يُصِيبَهَا ، ثُمَّ يُمْسِكُ ، وَرَجُلٍ أَصَابَتْهُ جَائِحَةٌ اجْتَاحَتْ مَالَهُ ، فَحَلَّتْ لَهُ الْمَسْأَلَةُ حَتَّى يُصِيبَ قِوَامًا مِنْ عَيْشٍ ، وَرَجُلٍ أَصَابَتْهُ فَاقَةٌ حَتَّى يَقُومَ ثَلاَثَةٌ مِنْ ذَوِي الْحِجَى مِنْ قَوْمِهِ : لَقَدْ أَصَابَتْ فُلاَنًا فَاقَةٌ ، فَحَلَّتْ لَهُ الْمَسْأَلَةُ حَتَّى يُصِيبَ قِوَامًا مِنْ عَيْشٍ ، فَمَا سِوَاهُنَّ مِنَ الْمَسْأَلَةِ يَا قَبِيصَةُ ، سُحْتٌ يَأْكُلُهُ صَاحِبُهُ سُحْتًا». رَوَاهُ مُسْلِمٌ ، وَأَبُو دَاوُدَ ، وَابْنُ خُزَيْمَةَ ، وَابْنُ حِبَّانَ .

666. Qabîsah bin Mukhâriq Al-Hilâlî (RAA) narrated that the Messenger of Allâh ﷺ said, **"Asking for** (the money of) ***Zakâh*, is justified only for the following three: first, a man who is in debt: it is then permissible for him to receive [*Zakâh*] until his difficulty is resolved; second, a man who was struck by calamity, which destroyed his holdings, which also makes it permissible for him to receive [*Zakâh*] until he is in a position to earn his own living; and third, a man who has been reduced to poverty and three persons of caliber from among his people testify to his desperate circumstances. Such will receive until he finds a means of support for him-**

**self. Other than these cases, O Qabîsah, it is considered as taking *suht*** (unlawful or *harâm* earnings), **and the person receiving it** (this *Zakâh*) **will be consuming forbidden** (unlawful) **holdings."** Related by Muslim, Abû Dawûd, Ibn Khuzaimah and Ibn Hibbân.

٦٦٧ ـــ وَعَنْ عَبْدِ الْمُطَّلِبِ بْنِ رَبِيعَةَ بْنِ الْحَارِثِ قَالَ : قَالَ رَسُولُ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِنَّ الصَّدَقَةَ لاَ تَنْبَغِي لآلِ مُحَمَّدٍ ، إِنَّمَا هِيَ أَوْسَاخُ النَّاسِ».
وَفِي رِوَايَةٍ : «إِنَّهَا لاَ تَحِلُّ لِمُحَمَّدٍ وَلاَ لآلِ مُحَمَّدٍ». رَوَاهُ مُسْلِمٌ .

667. 'Abdul Muttalib bin Rabî'ah bin Al-Hârith narrated that the Messenger of Allâh ﷺ said,**"Indeed, *Zakâh* ought not to be given to the family of Muhammad ﷺ, it will be like giving them from the impurities of people."**[199] In another narration, **"It is not lawful for Muhammad or the family of Muhammad ﷺ."** Related by Muslim.

٦٦٨ ـــ وَعَـــنْ جُبَـــيْرِ بْنِ مُطْعِمٍ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : مَشَيْتُ أَنَا وَعُثْمَانُ بْنُ عَفَّـــانَ إِلَى النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقُلْنَا : يَا رَسُولَ اللَّه ، أَعْطَيْتَ بَنِي الْمُطَّلِبِ مِـــنْ خُمُسِ خَيْبَرَ وَتَرَكْتَنَا ، وَنَحْنُ وَهُمْ بِمَنْزِلَةٍ وَاحِدَةٍ ، فَقَالَ رَسُولُ اللَّه صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِنَّمَا بَنُو الْمُطَّلِبِ ، وَبَنُو هَاشِمٍ شَيْءٌ وَاحِدٌ». رَوَاهُ الْبُخَارِيُّ .

668. Jubair bin Mut'am (RAA) narrated, "Uthmân Ibn 'Affân and I went to the Messenger of Allâh ﷺ, and said to him, 'O Messenger of Allâh! You have given the family of Banû Al-Muttalib from the fifth of the war booty of Khaibar and left us out, while we and they are of the same status.' The Messenger of Allâh replied, **"Banû Al-Muttalib and Banû Hâshim are one."** Related by al-Bukhârî.

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199- The Qur'ân described *Zakâh* in *Sûrah at-Taubah* (9:103) by saying: ***"Take Zakâh from their wealth in order to purify them."*** *Zakâh* is regarded as the act, which purifies the money of the people, as they give out the part, which if they had kept it, would be *harâm* for them to keep since Allâh ordered them to give it.

٦٦٩ ــ وَعَــنْ أَبِي رَافِعٍ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بَعَثَ رَجُــلاً عَلَــى الصَّدَقَةِ مِنْ بَنِي مَخْزُومٍ ، فَقَالَ لأَبِي رَافِعٍ : اصْحَبْنِي ، فَإِنَّكَ تُصِيبُ مِــنْهَا ، فَقَــالَ : لاَ ، حَتَّى آتِيَ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَأَسْأَلَهُ ، فَأَتَاهُ فَسَأَلَهُ ، فَقَــالَ : «مَوْلَــى الْقَــوْمِ مِنْ أَنْفُسِهِمْ ، وَإِنَّهَا لاَ تَحِلُّ لَنَا الصَّدَقَةُ». رَوَاهُ أَحْمَدُ ، وَالثَّلاَثَةُ ، وَابْنُ خُزَيْمَةَ ، وَابْنُ حِبَّانَ .

669. Abû Râfi´ (RAA) narrated that the Messenger of Allâh ﷺ, appointed a man from Banî Makhzûm to collect the *Zakâh*. The man said to Abû Râfi´, 'Accompany me so that you may get a share of it.' Abû Râfi´ replied, 'No! Not until I go to the Prophet ﷺ and ask him.' He went to the Messenger of Allâh ﷺ and asked him, and the Prophet ﷺ replied, **"The client (slave) of a certain tribe are like(the members of the tribe) themselves and *Zakâh* is not lawful for us."**[200] Related by Ahmad, the three Imâms, Ibn Khuzaimah and Ibn Hibbân.

٦٧٠ ــ وَعَنْ سَالِمِ بْنِ عَبْدِ اللَّهِ بْنِ عُمَرَ عَنْ أَبِيهِ - رَضِيَ اللَّهُ عَنْهُمَا - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ يُعْطِي عُمَرَ بْنَ الْخَطَّابِ الْعَطَاءَ ، فَيَقُولُ : أَعْطِهِ أَفْقَرَ مِــنِّي ، فَيَقُولُ : «خُذْهُ فَتَمَوَّلْهُ ، أَوْ تَصَدَّقْ بِهِ ، وَمَا جَاءَكَ مِنْ هَذَا الْمَالِ ، وَأَنْتَ غَيْرُ مُشْرِفٍ ، وَلاَ سَائِلٍ فَخُذْهُ ، وَمَا لاَ فَلاَ تُتْبِعْهُ نَفْسَكَ». رَوَاهُ مُسْلِمٌ .

670. Sâlim bin 'Abdullâh bin 'Umar narrated on the authority of his father (RAA) that the Messenger of Allâh ﷺ used to give 'Umar bin Al-Khattâb something (some money), but he would say to him, 'Would you give it to a person, who is more needy than me?' The Messenger of Allâh ﷺ would then say to him, **'Take it. If you are given something from this property, without your having asked for it or being eager to receive it, and if you are not given, do not go and ask for it."** Related by Muslim.

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200- Abû Râfi´ was a slave of Al-´Abbâs the uncle of the Prophet ﷺ, and he freed him at the time of the Caliphate of ´Alî (RAA).

# كتاب الصيام

# Book V: Fasting

## *Chapter I*

٦٧١ ـ عَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّه صَلَّى اللَّهُ عَلَيْه وَسَلَّمَ : «لاَ تَقَدَّمُوا رَمَضَانَ بِصَوْمِ يَوْمٍ وَلاَ يَوْمَيْنِ ، إِلاَّ رَجُلٌ كَانَ يَصُومُ صَوْمًا فَلْيَصُمْهُ». مُتَّفَقٌ عَلَيْه .

671. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"None of you should fast a day or two before the** (beginning of the) **month of *Ramadân*, unless it is a day on which one is in the habit of fasting** (i.e. voluntary fasting that coincides with that day)." Agreed upon.

٦٧٢ ـ وَعَنْ عَمَّارِ بْنِ يَاسِرٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «مَنْ صَامَ الْيَوْمَ الَّذِي يُشَكُّ فِيهِ فَقَدْ عَصَى أَبَا الْقَاسِمِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ». ذَكَرَهُ الْبُخَارِيُّ تَعْلِيقًا ، وَوَصَلَهُ الْخَمْسَةُ ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ ، وَابْنُ حِبَّانَ .

672. 'Ammâr bin Yâsir (RAA) narrated, 'Whoever fasts the day of doubt[201] he has then disobeyed Abû al-Qâsim (the Prophet ﷺ).' Related by the five Imâms, and Ibn Khuzaimah and Ibn Hibbân graded it as *Sahîh*.

٦٧٣ ـ وَعَنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : سَمِعْتُ رَسُولَ اللَّه صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ : «إِذَا رَأَيْتُمُوهُ فَصُومُوا ، وَإِذَا رَأَيْتُمُوهُ فَأَفْطِرُوا ، فَإِنْ غُمَّ عَلَيْكُمْ فَاقْدُرُوا لَهُ». مُتَّفَقٌ عَلَيْه .

وَلِمُسْلِمٍ : «فَإِنْ أُغْمِيَ عَلَيْكُمْ فَاقْدُرُوا لَهُ ثَلاَثِينَ».

201- It is the day that precedes *Ramadân* and people are not sure if it is the last day of *Sha'bân* or the beginning of *Ramadân*.

وَلِلْبُخَارِيِّ : «فَأَكْمِلُوا الْعِدَّةَ ثَلاثِينَ».

673. Ibn 'Umar (RAA) narrated, 'I heard the Messenger of Allâh ﷺ say, **"Start fasting after you have seen it** (i.e. the new crescent) **and end the fast** (at the end of the month) **when you see it. If it is overcast and cannot be seen, then estimate its sighting** (i.e. presume that *Sha'bân* lasted for thirty days)." Agreed upon.

Muslim narrated, **"If it is too overcast to be seen then presume that it (*Sha'bân)* lasted for thirty days."**

In another narration by al-Bukhârî, **"wait until thirty days of it (*Sha'bân)* have passed."**

٦٧٤ ــ وَلَهُ فِي حَدِيثِ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - : «فَأَكْمِلُوا عِدَّةَ شَعْبَانَ ثَلاثِينَ».

674. Al-Bukhârî reported on the authority of Abû Hurairah, **"Complete the days of *Sha'bân* as thirty days."**

٦٧٥ ــ وَعَنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : «تَرَاءَى النَّاسُ الْهِلاَلَ ، فَأَخْبَرْتُ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنِّي رَأَيْتُهُ فَصَامَ ، وَأَمَرَ النَّاسَ بِصِيَامِهِ». رَوَاهُ أَبُو دَاوُدَ ، وَصَحَّحَهُ الْحَاكِمُ ، وَابْنُ حِبَّانَ .

675. Ibn 'Umar (RAA) narrated, 'The people were trying to sight the new moon (of *Ramadân*) and when I reported to the Messenger of Allâh ﷺ that I had seen it, he fasted and commanded people to fast.' Related by Abû Dawûd, and Al-Hâkim and Ibn Hibbân graded it as *Sahîh*..

٦٧٦ ــ وَعَنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - أَنَّ أَعْرَابِيًّا جَاءَ إِلَى النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ : إِنِّي رَأَيْتُ الْهِلاَلَ ، فَقَالَ : «أَتَشْهَدُ أَنْ لاَ إِلَهَ إِلاَّ اللَّهُ ؟» قَالَ : نَعَمْ ، قَالَ : «أَتَشْهَدُ أَنَّ مُحَمَّدًا رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ؟» ، قَالَ : نَعَمْ ، قَالَ : «فَأَذِّنْ فِي النَّاسِ يَا بِلاَلُ ، أَنْ يَصُومُوا غَدًا». رَوَاهُ الْخَمْسَةُ ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ ، وَابْنُ حِبَّانَ ، وَرَجَّحَ النَّسَائِيُّ إِرْسَالَهُ .

676. Ibn 'Abbâs (RAA) narrated, 'A Bedouin came to the Pro-

phet ﷺ and said, 'I have sighted the crescent (of *Ramadân*). He then said to him, **"Do you testify that there is none worthy of worship but Allâh?"** The Bedouin said, 'Yes.' He asked him again, **"Do you testify that Muhammad is the Messenger of Allâh?"** The man replied, 'Yes.' The Messenger of Allâh ﷺ thereupon said, **"O Bilâl! Announce to the people to** (start) **fasting tomorrow."** Related by the five Imâms. Ibn Khuzaimah and Ibn Hibbân graded it as *Sahîh*. An-Nasâ'î said that it is most probably *Mursal* (a Hadîth in which the link between the Successor *(Tâbi'î)* and the Prophet ﷺ is missing.

٦٧٧ ــ وَعَنْ حَفْصَةَ أُمِّ الْمُؤْمِنِينَ أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «مَنْ لَمْ يُبَيِّتْ الصِّيَامَ قَبْلَ الْفَجْرِ فَلاَ صِيَامَ لَهُ». رَوَاهُ الْخَمْسَةُ ، وَمَالَ التِّرْمِذِيُّ وَالنَّسَائِيُّ إِلَى تَرْجِيحِ وَقْفِهِ ، وَصَحَّحَهُ مَرْفُوعًا ابْنُ خُزَيْمَةَ ، وَابْنُ حِبَّانَ .

وَلِلدَّارَقُطْنِيِّ : «لاَ صِيَامَ لِمَنْ لَمْ يَفْرِضْهُ مِنَ اللَّيْلِ».

677. The mother of the believers, Hafsah (RAA) narrated that the Messenger of Allâh ﷺ said, **"Whoever does not form his intention to fast before *Fajr*, his fasting will not be accepted."** Related by the five Imâms, but At-Tirmidhî and An-Nasâ'î consider it to be related by Hafsah and not connected to the Prophet ﷺ.

Imâm Ad-Dâraqutnî transmitted, **"No fasting is accepted for one who does not form the intention** (to fast) **the night before."** [202]

٦٧٨ ــ وَعَنْ عَائِشَةَ – رَضِيَ اللَّهُ عَنْهَا – قَالَتْ : دَخَلَ عَلَيَّ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ذَاتَ يَوْمٍ ، فَقَالَ : «هَلْ عِنْدَكُمْ شَيْءٌ ؟» قُلْنَا : لاَ ، قَالَ : «فَإِنِّي إِذًا صَائِمٌ ، ثُمَّ أَتَانَا يَوْمًا آخَرَ ، فَقُلْنَا : أُهْدِيَ لَنَا حَيْسٌ ، فَقَالَ : «أَرِينِيهِ ، فَلَقَدْ أَصْبَحْتُ صَائِمًا» فَأَكَلَ . رَوَاهُ مُسْلِمٌ .

678. 'Â'ishah (RAA) narrated, 'One day the Messenger of Al-

202- Some scholars are of the opinion that one can form his intention once at the beginning of the month to fast for the whole month, instead of making this intention every night.

lâh ﷺ entered my house and said, **"Is there anything here (to eat)?"** I said, 'No.' He said, **"I shall then be fasting (today)."** Then he came to us another day and we said to him, 'Someone has offered us some *hais*[203] as a gift.' He then said, **"Show it to me. I had been fasting since this morning,"** and he ate from it (as it was a voluntary fast and not during the obligatory fasting of *Ramadân*). Related by Muslim.

٦٧٩ ـــ وَعَـــنْ سَهْلِ بْنِ سَعْدٍ - رَضِيَ اللَّهُ عَنْهُ - ، أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لاَ يَزَالُ النَّاسُ بِخَيْرٍ مَا عَجَّلُوا الْفِطْرَ». مُتَّفَقٌ عَلَيْهِ .

679. Sahl bin Sa'd (RAA) narrated that the Messenger of Allâh ﷺ said, **"People will always be fine** (on the right path, or following the *Sunnah*) **as long as they hasten to break their fast** (in *Ramadân*)."[204] Agreed upon.

٦٨٠ ـــ وَلِلـــتِّرْمِذِيِّ مِنْ حَدِيثِ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «قَالَ اللَّهُ - عَزَّ وَجَلَّ - : أَحَبُّ عِبَادِي إِلَيَّ أَعْجَلُهُمْ فِطْرًا».

680. Abû Hurairah (RAA) narrated, 'The Messenger of Allâh ﷺ said, **"Allâh, the Most Exalted said: "Those among My servants, who hasten to break their fast, are the most beloved** (or dearest) **to Me."** Related by at-Tirmidhî.

٦٨١ ـــ وَعَـــنْ أَنَسِ بْنِ مَالِكٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «تَسَحَّرُوا فَإِنَّ فِي السَّحُورِ بَرَكَةً». مُتَّفَقٌ عَلَيْهِ .

681. Anas (RAA) narrated that the Messenger of Allâh ﷺ said, **"Eat the *suhûr*** (pre-dawn meal), **for there are blessings in this meal."** Agreed upon.

٦٨٢ ـــ وَعَـــنْ سُـــلَيْمَانَ بْـــنِ عَامِرٍ الضَّبِّيِّ عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : « إِذَا أَفْطَرَ أَحَدُكُمْ فَلْيُفْطِرْ عَلَى تَمْرٍ ، فَإِنْ لَمْ يَجِدْ فَلْيُفْطِرْ عَلَى مَاءٍ ، فَإِنَّهُ طَهُورٌ ».

203- A kind of food made of dates, fat and dried cheese.

204- Abû Dawûd added the following in a similar narration, '.... **because the Jews and the Christians delay doing so.** (i.e. breaking their fast).'

رَوَاهُ الْخَمْسَةُ ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ ، وَابْنُ حِبَّانَ ، وَالْحَاكِمُ .

682. Sulaimân bin 'Âmir Ad-Dabbî (RAA) narrated that the Messenger of Allâh ﷺ said, **"When one of you is breaking his fast, he should eat some dates. If dates are not available, then break it with some water, for water is purifying."** Related by the five Imâms. Ibn Khuzaimah, Ibn Hibbân and al-Hâkim graded it as *Sahîh.*

٦٨٣ ـ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : نَهَى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَنِ الْوِصَالِ ، فَقَالَ رَجُلٌ مِنَ الْمُسْلِمِينَ : فَإِنَّكَ تُوَاصِلُ يَا رَسُولَ اللَّهِ ؟ فَقَالَ : «وَأَيُّكُمْ مِثْلِي ؟ إِنِّي أَبِيتُ يُطْعِمُنِي رَبِّي وَيَسْقِينِي» ، فَلَمَّا أَبَوْا أَنْ يَنْتَهُوا عَنِ الْوِصَالِ وَاصَلَ بِهِمْ يَوْمًا ، ثُمَّ يَوْمًا ، ثُمَّ رَأَوُا الْهِلاَلَ ، فَقَالَ : «لَوْ تَأَخَّرَ الْهِلاَلُ لَزِدْتُكُمْ» كَالْمُنَكِّلِ لَهُمْ حِينَ أَبَوْا أَنْ يَنْتَهُوا . مُتَّفَقٌ عَلَيْهِ .

683. Abû Hurairah (RAA) narrated, 'The Messenger of Allâh ﷺ forbade us from practicing *wisâl* in fasting (i.e. fasting continuously without breaking one's fast in the evening or eating before the following dawn). So a man said to him, 'But you practice *wisâl* O Messenger of Allâh!' The Prophet Allâh ﷺ replied, **"Which one of you is like me? I am given food and drink during my sleep by Allâh."** So when people refused to stop *wisâl,* the Prophet ﷺ fasted day and night continuously along with them for a day and then another day and then they saw the crescent (of the new month of *Shawwâl*). The Prophet ﷺ said to them, **"If the crescent had not appeared, I would have made you fast for a longer period."** That was a punishment for them because they refused to stop (practicing *Wisâl*). Agreed upon.

٦٨٤ ـ وَعَنْهُ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ لَمْ يَدَعْ قَوْلَ الزُّورِ وَالْعَمَلَ بِهِ وَالْجَهْلَ ، فَلَيْسَ لِلَّهِ حَاجَةٌ فِي أَنْ يَدَعَ طَعَامَهُ وَشَرَابَهُ». رَوَاهُ الْبُخَارِيُّ ، وَأَبُو دَاوُدَ ، وَاللَّفْظُ لَهُ .

684. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"Whoever does not give up forged speech and**

**evil actions and does not abandon foolishness, Allâh is not in need of his leaving food and drink (i.e. Allâh will not accept his fasting).**" Related by Al-Bukhârî and Abû Dawûd, and the wording is from the latter.

٦٨٥ ــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «كَانَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يُقَبِّلُ وَهُوَ صَائِمٌ ، وَيُبَاشِرُ وَهُوَ صَائِمٌ ، وَلَكِنَّهُ كَانَ أَمْلَكَكُمْ لإِرْبِهِ». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِمُسْلِمٍ ، وَزَادَ فِي رِوَايَةٍ : «فِي رَمَضَانَ».

685. 'Â'ishah (RAA) narrated that the Messenger of Allâh ﷺ would kiss and embrace (his wives) while fasting, for he had the most control of all of you over his desires.' Agreed upon and the wording is from Muslim, who added in a narration, 'In *Ramadân*.'

٦٨٦ ــ وَعَنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ احْتَجَمَ وَهُوَ مُحْرِمٌ ، وَاحْتَجَمَ وَهُوَ صَائِمٌ». رَوَاهُ الْبُخَارِيُّ .

686. Ibn 'Abbâs (RAA) narrated that the Messenger of Allâh ﷺ had himself cupped while he was in a state of *Ihrâm*, and had himself cupped while he was fasting." Related by Al-Bukhârî.

٦٨٧ ــ وَعَنْ شَدَّادِ بْنِ أَوْسٍ أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَتَى عَلَى رَجُلٍ بِالْبَقِيعِ وَهُوَ يَحْتَجِمُ فِي رَمَضَانَ ، فَقَالَ : «أَفْطَرَ الْحَاجِمُ وَالْمَحْجُومُ». رَوَاهُ الْخَمْسَةُ إِلاَّ التِّرْمِذِيَّ ، وَصَحَّحَهُ أَحْمَدُ ، وَابْنُ خُزَيْمَةَ ، وَابْنُ حِبَّانَ .

687. Shaddâd bin Aus (RAA) narrated that the Messenger of Allâh ﷺ came across a man in Al-Baqî' (in Madînah) who was having himself cupped in *Ramadân*, and said to him, "**The one who cups and the one who is being cupped have both broken their fast.**" Related by the five Imâms except for At-Tirmidhî. Ahmad, Ibn Khuzaimah and Ibn Hibbân regarded it as authentic.[205]

205- The majority of scholars are of the opinion that cupping is allowed while fasting, as proved by the *hadîth* of Ibn 'Abbâs that is narrated at a period of time later than that of Shaddâd, as Ibn 'Abbâs accompanied the Prophet ﷺ on his farewell pilgrimage. So, it was probably prohibited at

٦٨٨ ــ وَعَنْ أَنَسِ بْنِ مَالِكٍ قَالَ : أَوَّلُ مَا كُرِهَتْ الْحِجَامَةُ لِلصَّائِمِ : أَنَّ جَعْفَرَ بْنَ أَبِــي طَالِبٍ احْتَجَمَ وَهُوَ صَائِمٌ ، فَمَرَّ بِهِ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ : «أَفْطَرَ هَذَانِ» ثُمَّ رَخَّصَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بَعْدُ فِي الْحِجَامَةِ لِلصَّائِمِ ، وَكَانَ أَنَسٌ يَحْتَجِمُ وَهُوَ صَائِمٌ . رَوَاهُ الدَّارَقُطْنِيُّ وَقَوَّاهُ .

688. Anas (RAA) narrated, 'The first time cupping was disliked for the one who is fasting was when Ja´far bin Abî Tâlib had himself cupped while fasting and the Messenger of Allâh ﷺ came across him and said, **"Those two have broken their fast** (meaning Ja´far and the man who was cupping him)." But later on the Prophet ﷺ allowed cupping for the one who is fasting. Anas used to have himself cupped while he was fasting. Related by Ad-Dâraqutnî, who regarded it as a strong hadîth.

٦٨٩ــ وَعَــنْ عَائِشَةَ – رَضِيَ اللَّهُ تَعَالَى عَنْهَا – ، أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ اكْتَحَلَ فِي رَمَضَانَ ، وَهُوَ صَائِمٌ . رَوَاهُ ابْنُ مَاجَهْ بِإِسْنَادٍ ضَعِيفٍ . وَقَالَ التِّرْمِذِيُّ : لاَ يَصِحُّ فِي هَذَا الْبَابِ شَيْءٌ».

689. ´Â'ishah (RAA) narrated, 'The Messenger of Allâh ﷺ applied kohl to his eyes while he was fasting.' Related by Ibn Mâjah with a weak chain of narrators. According to At-Tirmidhî, nothing authentic has been related from the Prophet ﷺ concerning this issue, i.e. applying kohl, eye drops etc..to the eye while fasting.

٦٩٠ ــ وَعَنْ أَبِي هُرَيْرَةَ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ : «مَنْ نَسِيَ وَهُوَ صَائِمٌ ، فَأَكَلَ أَوْ شَرِبَ ، فَلْيُتِمَّ صَوْمَهُ ، فَإِنَّمَا أَطْعَمَهُ اللَّهُ وَسَقَاهُ». مُتَّفَقٌ عَلَيْهِ .

690. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, '**Whoever forgets that he is fasting, and eats or drinks is to complete his fast, as it was Allâh who fed him and gave him something to drink."** Agreed upon.

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the beginning during fasting, but later it was allowed, and it is only disliked if the person becomes weak due to cupping while fasting.

٦٩١ ـــ وَلِلْحَـــاكِمِ : «مَـــنْ أَفْطَـــرَ فِي رَمَضَانَ نَاسِيًا فَلاَ قَضَاءَ عَلَيْهِ وَلاَ كَفَّارَةَ». وَهُوَ صَحِيحٌ .

691. Al-Hâkim transmitted on the authority of Abû Hurairah, **"Whoever breaks his fast during *Ramadân* due to forgetfulness is not to make up for the day later or perform any expiation."** It is a sound hadîth.

٦٩٢ ـــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَـــيْهِ وَسَـــلَّمَ : «مَـــنْ ذَرَعَهُ الْقَيْءُ فَلاَ قَضَاءَ عَلَيْهِ ، وَمَنْ اسْتَقَاءَ فَعَلَيْهِ الْقَضَاءُ». رَوَاهُ الْخَمْسَةُ ، وَأَعَلَّهُ أَحْمَدُ ، وَقَوَّاهُ الدَّارَقُطْنِيُّ .

692. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"Whoever is overcome and vomits is not to make up for the day, but whoever vomits intentionally must make up the day."** Related by the five Imâms.

٦٩٣ ـــ وَعَـــنْ جَابِـــرِ بْنِ عَبْدِ اللَّهِ - رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا - ، أَنَّ رَسُولَ اللَّهِ صَـــلَّى اللَّـــهُ عَلَيْهِ وَسَلَّمَ خَرَجَ عَامَ الْفَتْحِ إِلَى مَكَّةَ ، فِي رَمَضَانَ ، فَصَامَ حَتَّى بَلَغَ كُـــرَاعَ الْغَمِيمِ ، فَصَامَ النَّاسُ ، ثُمَّ دَعَا بِقَدَحٍ مِنْ مَاءٍ فَرَفَعَهُ ، حَتَّى نَظَرَ النَّاسُ إِلَيْهِ ، فَشَرِبَ ، ثُمَّ قِيلَ لَهُ بَعْدَ ذَلِكَ : إِنَّ بَعْضَ النَّاسِ قَدْ صَامَ ، فَقَالَ : «أُولَئِكَ الْعُصَاةُ ، أُولَئِكَ الْعُصَاةُ».

693. Jâbir (RAA) narrated, 'The Messenger of Allâh ﷺ left for Makkah during the year of the conquest (of Makkah) in *Ramadân* and he and the people with him fasted until he reached the valley of *Kurâ'Al-Ghamîm*. He then called for a cup of water, which he elevated so that the people could see it, and then he drank. Afterwards, he was told that some people had continued to fast, and he then said, **"Those are the disobedient ones! Those are the disobedient ones!"**

٦٩٤ ـــ وَفِي لَفْظٍ فَقِيلَ لَهُ : «إِنَّ النَّاسَ قَدْ شَقَّ عَلَيْهِمُ الصِّيَامُ ، وَإِنَّمَا يَنْتَظِرُونَ فِيمَا فَعَلْتَ ، فَدَعَا بِقَدَحٍ مِنْ مَاءٍ بَعْدَ الْعَصْرِ» فَشَرِبَ . رَوَاهُ مُسْلِمٌ .

694. In another narration,'He was told that people are finding

it difficult to fast (during the journey) and they are waiting to see what the Prophet ﷺ will do. So he called for a cup of water after the *´Asr* (afternoon) prayer and drank it.' Related by Muslim.

٦٩٥ ــ وَعَـــنْ حَمْزَةَ بْنِ عَمْرٍو الأَسْلَمِيِّ - رَضِيَ اللَّهُ عَنْهُ - أَنَّهُ قَالَ : يَا رَسُولَ اللَّهِ ، إِنِّي أَجِدُ فِيَّ قُوَّةً عَلَى الصِّيَامِ فِي السَّفَرِ ، فَهَلْ عَلَيَّ جُنَاحٌ ؟ فَقَالَ رَسُولُ اللَّهِ صَـــلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «هِيَ رُخْصَةٌ مِنَ اللَّهِ ، فَمَنْ أَخَذَ بِهَا فَحَسَنٌ ، وَمَنْ أَحَبَّ أَنْ يَصُـــومَ فَـــلاَ جُـــنَاحَ عَلَيْهِ». رَوَاهُ مُسْلِمٌ ، وَأَصْلُهُ فِي الْمُتَّفَقِ عَلَيْهِ مِنْ حَدِيثِ عَائِشَةَ : أَنَّ حَمْزَةَ بْنِ عَمْرٍو سَأَلَ .

695. Hamzah bin ´Amro Al-Aslamî (RAA) narrated, 'I said to the Messenger of Allâh ﷺ, 'O Messenger of Allâh! I find within me the strength to fast while traveling. Would there be any blame upon me if I were to do so?' The Messenger of Allâh ﷺ said to him, **"It is a concession from Allâh. Whoever takes it has done well. Whoever likes to fast, there is no blame upon him."** Related by Muslim.

٦٩٦ ــ وَعَنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا - قَالَ : «رُخِّصَ لِلشَّيْخِ الْكَبِيرِ أَنْ يُفْطِـــرَ وَيُطْعِـــمَ عَـــنْ كُلِّ يَوْمٍ مِسْكِينًا ، وَلاَ قَضَاءَ عَلَيْهِ». رَوَاهُ الدَّارَقُطْنِيُّ ، وَالْحَاكِمُ ، وَصَحَّحَاهُ .

696. Ibn ´Abbâs (RAA) narrated, 'An elderly man is permitted to break his fast, but he must feed a poor person daily, and he does not have to make up for it.' Related by Ad-Dâraqutnî and Al-Hâkim, who rendered it to be *Sahîh*..

٦٩٧ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : جَاءَ رَجُلٌ إِلَى النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ : هَلَكْتُ يَا رَسُولَ اللَّهِ ، قَالَ : «وَمَا أَهْلَكَكَ ؟» قَالَ : وَقَعْتُ عَلَـــى امْـــرَأَتِي فِي رَمَضَانَ . فَقَالَ : «هَلْ تَجِدُ مَا تَعْتِقُ رَقَبَةً ؟» قَالَ : لاَ ، قَالَ : «فَهَلْ تَسْتَطِيعُ أَنْ تَصُومَ شَهْرَيْنِ مُتَتَابِعَيْنِ ؟» قَالَ : لاَ ، قَالَ : «فَهَلْ تَجِدُ مَا تُطْعِمُ سِتِّينَ مِسْكِينًا ؟» قَالَ : لاَ ، ثُمَّ جَلَسَ ، فَأُتِيَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بِعَرَقٍ فِيهِ

تَمْــرٌ . فَقَــالَ : «تَصَدَّقْ بِهَذا» فَقَالَ : أَعَلَى أَفْقَرَ مِنَّا ؟ فَمَا بَيْنَ لاَبَتَيْهَا أَهْلُ بَيْتٍ أَحْــوَجُ إِلَيْهِ مِنَّا ، فَضَحِكَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ حَتَّى بَدَتْ أَنْيَابُهُ : ثُمَّ قَالَ : «اذْهَبْ فَأَطْعِمْهُ أَهْلَكَ». رَوَاهُ السَّبْعَةُ ، وَاللَّفْظُ لِمُسْلِمٍ .

697. Abû Hurairah (RAA) narrated that a man came to the Messenger of Allâh ﷺ and said, "I am ruined O Messenger of Allâh!" The Messenger of Allâh ﷺ asked him, **"What has ruined you?"** The man replied,'I had intercourse with my wife during the day in *Ramadân*(while fasting)." The Prophet ﷺ said to him, **"Are you able to free a slave?"** The man said, 'No.' The Prophet ﷺ said, **"Can you fast for two consecutive months?"** He said, 'No.' The Prophet then asked him, **"Can you provide food for sixty poor people?"** He said, 'No.' Then the man sat down. A basket of dates was brought to the Prophet ﷺ and he said to the man, **"Give this as *Sadaqah*** (voluntary charity)." The man said, 'To someone who is poorer than us? There is no one in this city (Al-Madînah)who is in need of these dates more than us!' The Prophet ﷺ laughed until his molar teeth could be seen and said to the man, **"Go and feed your family with these dates."** Related by the seven Imâms and the wording is from Muslim.

٦٩٨ ـــ وَعَنْ عَائِشَةَ وَأُمِّ سَلَمَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَــيْهِ وَسَــلَّمَ كَــانَ يُصْبِحُ جُنُبًا مِنْ جِمَاعٍ ، ثُمَّ يَغْتَسِلُ وَيَصُومُ». مُتَّفَقٌ عَلَيْهِ ، وَزَادَ مُسْلِمٌ فِي حَدِيثِ أُمِّ سَلَمَةَ : «وَلاَ يَقْضِي».

698. 'Â'ishah and Umm Salamah (RAA) narrated, 'The Messenger of Allâh ﷺ would rise in the morning (when it is already *Fajr* time) while he was *Junub* (in a state of major ritual impurity due to intercourse) on a day in *Ramadân*. He would then perform *Ghusl* and fast.' Agreed upon. In the narration of Muslim on the authority of Umm Salamah, 'And he would not make up for it (that day).'

٦٩٩ ـــ وَعَــنْ عَائِشَــةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهَا - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «مَنْ مَاتَ وَعَلَيْهِ صِيَامٌ صَامَ عَنْهُ وَلِيُّهُ». مُتَّفَقٌ عَلَيْهِ .

699. 'Â'ishah (RAA) narrated that the Messenger of Allâh ﷺ said, **"Whoever dies while he still has some fasts to make up** (of the days of *Ramadân*), **then his heir** (any of them) **should fast on his behalf."** Agreed upon.

## بَابُ صَوْمِ التَّطَوُّعِ، وَمَا نُهِيَ عَنْ صَوْمِهِ

## *Chapter II: Voluntary Fasting and Forbidden Days to Fast*

٧٠٠ ــ عَنْ أَبِي قَتَادَةَ الأَنْصَارِيِّ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - ، أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ سُئِلَ عَنْ صَوْمِ يَوْمِ عَرَفَةَ ، فَقَالَ : «يُكَفِّرُ السَّنَةَ الْمَاضِيَةَ وَالْبَاقِيَةَ» ، وَسُئِلَ عَنْ صَوْمِ يَوْمَ عَاشُورَاءَ ، فَقَالَ : «يُكَفِّرُ السَّنَةَ الْمَاضِيَةَ» ، وَسُئِلَ عَنْ صَوْمِ يَوْمِ الإِثْنَيْنِ ، فَقَالَ : «ذَلِكَ يَوْمٌ وُلِدْتُ فِيهِ ، وَبُعِثْتُ فِيهِ وَأُنْزِلَ عَلَيَّ فِيهِ». رَوَاهُ مُسْلِمٌ .

700. Abû Qatâdah Al-Ansârî (RAA) narrated, 'The Messenger of Allâh ﷺ was asked about fasting on the day of *'Arafah* (the 9th of the month of *Dhul Hijjah*). He replied, **"Fasting on the day of *'Arafah* is an expiation for the preceding year and the following year."** He was also asked about fasting on the day of *'Âshûrâ'* (the 10th of the month of *Muharram*). He replied, **"Fasting on the day of *'Âshûrâ'* is an expiation for the preceding year."** The Messenger of Allâh ﷺ was also asked about fasting on Monday, and he replied, **"This is the day on which I was born and the day on which I was sent** (with the Message of Islâm) **and the day on which I received revelation."** Related by Muslim.

٧٠١ ــ وَعَنْ أَبِي أَيُّوبَ الأَنْصَارِيِّ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «مَنْ صَامَ رَمَضَانَ ثُمَّ أَتْبَعَهُ سِتًّا مِنْ شَوَّالٍ كَانَ كَصِيَامِ الدَّهْرِ». رَوَاهُ مُسْلِمٌ .

701. Abû Aiyûb Al-Ansârî (RAA) narrated that the Messenger of Allâh ﷺ said, **"Whoever fasts during the month of *Rama-***

***dân*** **and then follows it with six days of *Shawwâl* will be** (rewarded) **as if he had fasted the entire year."** Related by Muslim.

٧٠٢ ــ وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَا مِنْ عَبْدٍ يَصُومُ يَوْمًا فِي سَبِيلِ اللَّهِ إِلاَّ بَاعَدَ اللَّهُ بِذَلِكَ الْيَوْمِ عَنْ وَجْهِهِ النَّارَ سَبْعِينَ خَرِيفًا». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِمُسْلِمٍ .

702. Abû Sa'îd Al-Khudrî (RAA) narrated that the Messenger of Allâh ﷺ said, **"No servant (of Allâh) fasts on a day** (merely) **for the sake of Allâh except that Allâh pushes the Hellfire seventy years further away from his face, due to fasting on this day."** Agreed upon and the wording is from Muslim.

٧٠٣ ــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهَا - قَالَتْ : «كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَصُومُ حَتَّى نَقُولَ لاَ يُفْطِرُ ، وَيُفْطِرُ حَتَّى نَقُولَ لاَ يَصُومُ ، وَمَا رَأَيْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ اسْتَكْمَلَ صِيَامَ شَهْرٍ قَطُّ إِلاَّ رَمَضَانَ ، وَمَا رَأَيْتُهُ فِي شَهْرٍ أَكْثَرَ مِنْهُ صِيَامًا فِي شَعْبَانَ». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِمُسْلِمٍ .

703. 'Â'ishah (RAA) narrated, 'The Messenger of Allâh ﷺ used to fast until one would say, he never breaks his fast (i.e. he never stops fasting), and he would abandon fasting (at other times) until one would say that he never fasts. And I never saw the Messenger of Allâh ﷺ fast for a complete month except for the month of *Ramadân,* and I never saw him fast in a month more than he did in the month of *Sha'bân.*" Agreed upon and the wording is from Muslim.

٧٠٤ ــ وَعَنْ أَبِي ذَرٍّ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : «أَمَرَنَا رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنْ نَصُومَ مِنَ الشَّهْرِ ثَلاَثَةَ أَيَّامٍ : ثَلاَثَ عَشْرَةَ ، وَأَرْبَعَ عَشْرَةَ ، وَخَمْسَ عَشْرَةَ». رَوَاهُ النَّسَائِيُّ ، وَالتِّرْمِذِيُّ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

704. Abû Dharr (RAA) narrated that the Messenger of Allâh ﷺ commanded us to fast for three days of every month; that is on the days of the full moon; the 13th, 14th, and 15th (of the lunar

month).' Related by An-Nasâ'î and At-Tirmidhî and rendered authentic by Ibn Hibbân.

٧٠٥ ـــ وَعَنْ أَبِي هُرَيْرَةَ – رَضِيَ اللَّهُ تَعَالَى عَنْهُ – ، أَنَّ رَسُولَ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لاَ يَحِلُّ لِلْمَرْأَةِ أَنْ تَصُومَ وَزَوْجُهَا شَاهِدٌ إِلاَّ بِإِذْنِهِ». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِلْبُخَارِيِّ ، زَادَ أَبُو دَاوُدَ : «غَيْرَ رَمَضَانَ».

705. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"A woman is not to fast (even) for one day while her husband is present except with his permission."** Agreed upon and the wording is from Al-Bukhârî'. Abû Dawûd's version states, **"unless it is during *Ramadân*** (then she does not need his permission as it is obligatory fasting)**."**

٧٠٦ ـــ وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ – رَضِيَ اللَّهُ تَعَالَى عَنْهُ – : «أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ نَهَى عَنْ صِيَامِ يَوْمَيْنِ : يَوْمِ الْفِطْرِ وَيَوْمِ النَّحْرِ». مُتَّفَقٌ عَلَيْهِ .

706. Abû Sa'îd Al-Khudrî (RAA) narrated. 'The Messenger of Allâh ﷺ has prohibited fasting on two days; the day of *Fitr* (breaking the fast of *Ramadân*) and on the day of sacrifice (*'Îdul Ad-hâ*).' Agreed upon.

٧٠٧ ـــ وَعَنْ نُبَيْشَةَ الْهُذَلِيِّ – رَضِيَ اللَّهُ تَعَالَى عَنْهُ – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «أَيَّامُ التَّشْرِيقِ أَيَّامُ أَكْلٍ وَشُرْبٍ ، وَذِكْرِ اللَّهِ – عَزَّ وَجَلَّ – ». رَوَاهُ مُسْلِمٌ .

707. Nubaishah Al-Hudhalî (RAA) narrated that the Messenger of Allâh ﷺ said, **"The days of *Tashrîq*** (the three days following *'Îdul Ad-hâ*, i.e. 11th, 12th and 13th of *Dhul Hijjah*) are days of eating, drinking and remembering (*dhikr*) of Allâh, the Most Great and Glorious." Related by Muslim.

٧٠٨ ـــ وَعَنْ عَائِشَةَ وَابْنِ عُمَرَ – رَضِيَ اللَّهُ عَنْهُمْ – قَالاَ : «لَمْ يُرَخَّصْ فِي أَيَّامِ التَّشْرِيقِ أَنْ يُصَمْنَ إِلاَّ لِمَنْ لَمْ يَجِدِ الْهَدْيَ». رَوَاهُ الْبُخَارِيُّ .

708. 'Â'ishah and Ibn 'Umar (RAA) narrated, 'Nobody was

allowed to fast on the days of *Tashrîq* except for those, who could not afford the *Hadî* (sacrifice).' Related by Al-Bukhârî.

٧٠٩ ـــ وَعَنْ أَبِي هُرَيْرَةَ – رَضِيَ اللَّهُ تَعَالَى عَنْهُ – عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لاَ تَخُصُّوا لَيْلَةَ الْجُمُعَةِ بِقِيَامٍ مِنْ بَيْنِ اللَّيَالِي ، وَلاَ تَخُصُّوا يَوْمَ الْجُمُعَةِ بِصِيَامٍ مِنْ بَيْنَ الأَيَّامِ ، إِلاَّ أَنْ يَكُونَ فِي صَوْمٍ يَصُومُهُ أَحَدُكُمْ». رَوَاهُ مُسْلِمٌ .

709. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"Do not single out Friday night (i.e. the night preceding Friday) among all the other nights for performing the night prayer. Also, do not single out Friday among other days for fasting, unless it coincides with the days one regularly fasts."** Related by Muslim.

٧١٠ ـــ وَعَنْهُ أَيْضًا – رَضِيَ اللَّهُ عَنْهُ – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ يَصُومَنَّ أَحَدُكُمْ يَوْمَ الْجُمُعَةِ ، إِلاَّ أَنْ يَصُومَ يَوْمًا قَبْلَهُ ، أَوْ يَوْمًا بَعْدَهُ». مُتَّفَقٌ عَلَيْهِ .

710. Abû Hurairah, narrated that the Messenger of Allâh ﷺ said, **"None of you should fast on Friday, unless he fasts together with the day before or the day after."** Agreed upon.

٧١١ ـــ وَعَنْهُ أَيْضًا – رَضِيَ اللَّهُ عَنْهُ – أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «إِذَا انْتَصَفَ شَعْبَانُ فَلاَ تَصُومُوا». رَوَاهُ الْخَمْسَةُ ، وَاسْتَنْكَرَهُ أَحْمَدُ .

711. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"When it is the middle of *Sha'bân* do not fast** (until it is *Ramadân*)." Related by the five Imâms, but Imâm Ahmad declared it to be a weak narration.

٧١٢ ـــ وَعَنِ الصَّمَّاءِ بِنْتِ بُسْرٍ – رَضِيَ اللَّهُ عَنْهَا – أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لاَ تَصُومُوا يَوْمَ السَّبْتِ ، إِلاَّ فِيمَا افْتَرَضَ عَلَيْكُمْ ، فَإِنْ لَمْ يَجِدْ أَحَدُكُمْ إِلاَّ لِحَاءَ عِنَبٍ ، أَوْ عُودَ شَجَرَةٍ فَلْيَمْضُغْهَا». رَوَاهُ الْخَمْسَةُ ، وَرِجَالُهُ ثِقَاتٌ ، إِلاَّ أَنَّهُ مُضْطَرِبٌ ، وَقَدْ أَنْكَرَهُ مَالِكٌ ، وَقَالَ أَبُو دَاوُدَ : هُوَ مَنْسُوخٌ .

712. As-Sammâ' bint Busr (RAA) narrated that the Messen-

ger of Allâh ﷺ said, **"Do not fast on Saturday unless it is an obligatory fast.** (Do not fast) **even if you do not find anything** (to eat) **except for some grape peelings or the branch of a tree, in that case he should chew on it."** Related by the five Imâms and its narrators are reliable. Imâm Mâlik disapproved this narration, and Abû Dawûd said that this narration is abrogated.[206]

٧١٣ ــ وَعَنْ أُمِّ سَلَمَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهَا - ، أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ أَكْثَرَ مَا يَصُومُ مِنَ الأَيَّامِ يَوْمُ السَّبْتِ ، وَيَوْمُ الأَحَدِ ، وَكَانَ يَقُولُ : «إِنَّهُمَا يَوْمَا عِيدٍ لِلْمُشْرِكِينَ ، وَأَنَا أُرِيدُ أَنْ أُخَالِفَهُمْ». أَخْرَجَهُ النَّسَائِيُّ ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ ، وَهَذَا لَفْظُهُ .

713. Umm Salamah (RAA) narrated, 'The Messenger of Allâh ﷺ used to fast more often on Saturdays and Sundays than on the other days. He would say, **"They are the *'îds* of the polytheists, and I love to act contrary to what they do."** Related by An-Nasâ'î and was rendered authentic by Ibn Khuzaimah, and the wording is his.

٧١٤ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ نَهَى عَنْ صَوْمِ يَوْمِ عَرَفَةَ بِعَرَفَةَ». رَوَاهُ الْخَمْسَةُ غَيْرَ التِّرْمِذِيِّ ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ ، وَالْحَاكِمُ ، وَاسْتَنْكَرَهُ الْعُقَيْلِيُّ .

714. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ forbade fasting on the day of *'Arafah* for the one who is actually at *'Arafah* (i.e. performing *Hajj*). Related by the five Im-

206- Imâm As-San'ânî in'Subul As-Salâm,' says that probably Abû Dawûd says that it is abrogated, because he is referring to the following narration of Umm Salamah, who narrated that the Messenger of Allâh ﷺ used to often fast on Saturdays and Sundays. Imâm At-Tirmidhî said that what is disli-ked here is for a person to exclusively choose Saturday as a day of fasting, as it is the day that the Jews honor. Anyway, most scholars said that it is disliked to fast on Saturday by itself due to the above mentioned Ahâdîth, except for Imâm Mâlik, who said that it is permissible to fast on Saturday by itself, but the hadîth of As-Sammâ' is evidence against his opinion.

âms except for At-Tirmidhî. Ibn Khuzaimah and al-Hâkim graded it as *Sahîh*.

٧١٥ ـــ وَعَنْ عَبْدِ اللّٰهِ بْنِ عُمَرَ - رَضِيَ اللّٰهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللّٰهِ صَلَّى اللّٰهُ عَلَيْهِ وَسَلَّمَ : «لاَ صَامَ مَنْ صَامَ الأَبَدَ». مُتَّفَقٌ عَلَيْهِ .

715. 'Abdullâh Ibn 'Umar (RAA) narrated that the Messenger of Allâh ﷺ said, **"May he, who perpetually fasts** (without a break) **never fast."**[207] Agreed upon.

٧١٦ ـــ وَلِمُسْلِمٍ مِنْ حَدِيثِ أَبِي قَتَادَةَ بِلَفْظِ : «لاَ صَامَ وَلاَ أَفْطَرَ».

716. Muslim narrated on the authority of Abû Qatâdah, **"May he not fast or break his fast."**

## بَـــابُ الإِعْتِكَـــافِ وَقِيَـــامِ رَمَضَـــانَ

## *Chapter III : I'tikâf*[208] *and Night prayer (Tahajjud) in Ramadân*

٧١٧ ـــ عَـــنْ أَبِي هُرَيْرَةَ - رَضِيَ اللّٰهُ عَنْهُ - أَنَّ رَسُولَ اللّٰهِ صَلَّى اللّٰهُ عَلَيْهِ وَسَلَّمَ قَالَ : «مَنْ قَامَ رَمَضَانَ إِيمَانًا وَاحْتِسَابًا غُفِرَ لَهُ مَا تَقَدَّمَ مِنْ ذَنْبِهِ» مُتَّفَقٌ عَلَيْهِ .

717. Abû Hurairah narrated that the Messenger of Allâh said, **"Whoever prays during the night in *Ramadân* out of**

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207- The Prophet ﷺ is probably rebuking the one who fasts continuously by making this *du'â'* (supplication) against him, meaning to stop him from doing so. Or it could probably mean that this person will not be rewarded for this fast, as he is acting contrary to the *Sunnah* of the Prophet ﷺ who prohibited fasting on *'Îd* days and the other days mentioned above.

208- *I'tikâf* in this context means remaining in a mosque (preferably a congregational mosque) for a certain period of time with the intention of remaining in seclusion from worldly matters, and keeping oneself busy with acts of worship such as praying, fasting, reciting Qur'ân, *dhikr* etc. In other words one devotes himself purely to the worship of Allâh for that period of time, with the intention of getting closer to Allâh, the Almighty. It could be performed in *Ramadân* (which is recommended during the last ten days of the month) or at other times.

**sincere faith and seeking its reward from Allâh, will have all of his previous sins forgiven."** Agreed upon.

٧١٨ ـــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِذَا دَخَلَ الْعَشْرُ - أَيِ الْعَشْرُ الأَخِيرَةُ مِنْ رَمَضَانَ - شَدَّ مِئْزَرَهُ ، وَأَحْيَا لَيْلَهُ ، وَأَيْقَظَ أَهْلَهُ». مُتَّفَقٌ عَلَيْهِ .

718. ´Â'ishah (RAA) narrated, 'With the start of the last ten days of *Ramadân,* the Messenger of Allâh ﷺ used to tighten his waist belt (i.e. keep away from his wives) and used to stay up praying all night, and he would also wake his wives(to pray and recite Qur'ân etc..)." Agreed upon.

٧١٩ ـــ وَعَنْهَا - رَضِيَ اللَّهُ عَنْهَا - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ يَعْتَكِفُ الْعَشْرَ الأَوَاخِرَ مِنْ رَمَضَانَ ، حَتَّى تَوَفَّاهُ اللَّهُ - عَزَّ وَجَلَّ - ، ثُمَّ اعْتَكَفَ أَزْوَاجُهُ مِنْ بَعْدِهِ». مُتَّفَقٌ عَلَيْهِ .

719. ´Â'ishah (RAA) narrated, 'The Messenger of Allâh ﷺ used to perform *I´tikâf* during the last ten days of *Ramadân* until he died. Then his wives used to perform *I´tikâf* after his death.' Agreed upon.

٧٢٠ ـــ وَعَنْهَا - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «كَانَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِذَا أَرَادَ أَنْ يَعْتَكِفَ صَلَّى الْفَجْرَ ثُمَّ دَخَلَ مُعْتَكَفَهُ». مُتَّفَقٌ عَلَيْهِ .

720. ´Â'ishah (RAA) narrated, "Whenever the Messenger of Allâh ﷺ intended to make *I´tikâf*, he would pray the morning prayer and then he would enter the place of his *I´tikâf* (i.e. the place, which he had prepared for his *I´tikâf* inside the mosque)." Agreed upon.

٧٢١ ـــ وَعَنْهَا - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «إِنْ كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لَيُدْخِلُ عَلَيَّ رَأْسَهُ - وَهُوَ فِي الْمَسْجِدِ - فَأُرَجِّلُهُ ، وَكَانَ لاَ يَدْخُلُ الْبَيْتَ إِلاَّ لِحَاجَةٍ ، إِذَا كَانَ مُعْتَكِفًا». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِلْبُخَارِيِّ .

721. ´Â'ishah (RAA) narrated,'The Messenger of Allâh ﷺ used

to put his head into (the window of my house) while he was in the mosque (performing *I´tikâf*) and I would comb his hair. When he was in *I´tikâf* he would not enter the house except for some need." Agreed upon and the wording is from Al-Bukhârî'.

٧٢٢ ــ وَعَنْهَا قَالَتْ : «السُّنَّةُ عَلَى الْمُعْتَكِفِ أَنْ لاَ يَعُودَ مَرِيضًا ، وَلاَ يَشْهَدَ جَنَازَةً ، وَلاَ يَمَسَّ امْرَأَةً ، وَلاَ يُبَاشِرَهَا ، وَلاَ يَخْرُجَ لِحَاجَةٍ إِلاَّ لِمَا لاَ بُدَّ لَهُ مِنْهُ وَلاَ اعْتِكَافَ إِلاَّ بِصَوْمٍ ، وَلاَ اعْتِكَافَ إِلاَّ فِي مَسْجِدٍ جَامِعٍ». رَوَاهُ أَبُو دَاوُدَ ، وَلاَ بَأْسَ بِرِجَالِهِ إِلاَّ أَنَّ الرَّاجِحَ وَقْفُ آخِرِهِ .

722. ´Â'ishah (RAA) narrated, 'It is *Sunnah* for the one performing *I´tikâf* not to visit the sick, attend a funeral, or touch his wife (with sexual desire), nor have sexual intercourse with her. He should also not go out (of the mosque) except for an extreme necessity, and no *I´tikâf* is accepted without fasting,[209] or without being in a congregational mosque (where Friday prayer is performed).' Related by Abû Dawûd with an acceptable chain of narrators, but scholars say that the last part (starting: 'no *I´tikâf* is accepted...) is most probably the saying of ´Â'ishah (RAA), i.e. *Hadîth Mauqûf* (*i.e.* that which the companion does not connect to the Prophet ﷺ) and it is not the saying of the Prophet ﷺ himself.

٧٢٣ ــ وَعَنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لَيْسَ عَلَى الْمُعْتَكِفِ صِيَامٌ إِلاَّ أَنْ يَجْعَلَهُ عَلَى نَفْسِهِ». رَوَاهُ الدَّارَقُطْنِيُّ ، وَالْحَاكِمُ ، وَالرَّاجِحُ وَقْفُهُ أَيْضًا .

723. Ibn ´Abbâs (RAA) narrated that the Messenger of Allâh ﷺ said, **"The one who is performing *I´tikâf* does not have to fast unless he obliges himself to do so."** Related by ad-Dâraqutnî and al-Hâkim, and most probably it is also the saying of Ibn ´Abbâs, i.e. *Mawqûf* and not of the sayings of the Prophet ﷺ.

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209- According to most scholars it is preferable for one to fast while performing *I´tikâf* but he is not obliged to do so.

٧٢٤ ـــ وَعَنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - ، أَنَّ رِجَالاً مِنْ أَصْحَابِ النَّبِيِّ صَلَّى اللَّـــهُ عَلَيْهِ وَسَلَّمَ أُرُوا لَيْلَةَ الْقَدْرِ فِي الْمَنَامِ ، فِي السَّبْعِ الأَوَاخِرِ ، فَقَالَ رَسُولُ اللَّهِ صَـــلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «أَرَى رُؤْيَاكُمْ قَدْ تَوَاطَأَتْ فِي السَّبْعِ الأَوَاخِرِ ، فَمَنْ كَانَ مُتَحَرِّيهَا فَلْيَتَحَرَّهَا فِي السَّبْعِ الأَوَاخِرِ». مُتَّفَقٌ عَلَيْهِ .

724. Ibn ´Umar (RAA) narrated, 'Some of the companions of the Prophet ﷺ were shown in their dreams that the night of *Qadr*[210] was in the last seven nights of *Ramadân*. The Messenger of Allâh ﷺ said to them, **"It seems that all of your dreams agree that** (the Night of *Qadr*) **is in the last seven nights, and whoever wants to seek that night should do so in the last seven nights (of *Ramadân*)."** Agreed upon.

٧٢٥ ـــ وَعَنْ مُعَاوِيَةَ بْنِ أَبِي سُفْيَانَ - رَضِيَ اللَّهُ عَنْهُ - ، عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ فِي لَيْلَةِ الْقَدْرِ : «لَيْلَةُ سَبْعٍ وَعِشْرِينَ». رَوَاهُ أَبُو دَاوُدَ ، وَالرَّاجِحُ وَقْفُهُ ، وَقَدِ اخْتُلِفَ فِي تَعْيِينِهَا عَلَى أَرْبَعِينَ قَوْلاً أَوْرَدْتُهَا فِي فَتْحِ الْبَارِي .

725. Mu´âwiyah bin Abî Sufiân (RAA) narrated, 'The Messenger of Allâh said regarding the night of *al-Qadr*, **"It is the 27th night**[211] (of *Ramadân*)." Related by Abû Dawûd. But it is most probably the saying of Mu´âwiyah and not the Prophet ﷺ.

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210- The night of *Qadr* is the most virtuous night of the year, as Allâh says in the Qur'ân: "Verily! We have sent it in the night of al-Qadr. And what will make you know what the night of al-Qadr is? The night of Al-Qadr is better than a thousand months..." (Sûrah 97). Any action done on that night for example, reciting the Qur'ân, making dhikr of Allah, and so on, is better than acting for one thousand months, which do not contain the night of Qadr. It is to be expected in the last ten days of Ramadân.

211- Scholars hold different opinions as to when the night of *al-Qadr occurs*. Some are of the opinion that it is the 21st, some say the 23rd, others say the 25th and yet others say that it is the 29th. Some are of the opinion that it varies from year to year, but most scholars believe that it is most probably the 27th of *Ramadân* due to the hadîth related by Ahmad on the authority of Ibn ´Umar, that the Messenger of Allâh ﷺ said, **"He who likes to seek that night should do so on the 27th ."**

٧٢٦ ـــ وَعَنْ عَائِشَةَ – رَضِيَ اللَّهُ عَنْهَا – قَالَتْ : قُلْتُ يَا رَسُولَ اللَّهِ ، أَرَأَيْتَ إِنْ عَلِمْتُ أَيَّ لَيْلَةٍ لَيْلَةُ الْقَدْرِ ، مَا أَقُولُ فِيهَا ؟ قَالَ : «قُولِي : اللَّهُمَّ إِنَّكَ عَفُوٌّ تُحِبُّ الْعَفْوَ فَاعْفُ عَنِّي». رَوَاهُ الْخَمْسَةُ ، غَيْرَ أَبِي دَاوُدَ ، وَصَحَّحَهُ التِّرْمِذِيُّ وَالْحَاكِمُ .

726. 'Â'ishah (RAA) narrated, 'I asked the Messenger of Allâh ﷺ, 'O Messenger of Allâh, if I know what night the night of *Qadr is,* what should I say during it?' He said, **"Say: O Allâh, You are the Pardoner and You love to pardon, so pardon me."** Related by the five Imâms except for Abû Dawûd. At-Tirmidhî and Al-Hâkim reported it as *Sahîh*.

٧٢٧ ـــ وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ تُشَدُّ الرِّحَالُ إِلاَّ إِلَى ثَلاَثَةِ مَسَاجِدَ : الْمَسْجِدِ الْحَرَامِ ، وَمَسْجِدِي هَذَا ، وَالْمَسْجِدِ الأَقْصَى». مُتَّفَقٌ عَلَيْهِ .

727. Abû Sa'îd Al-Khudrî (RAA) narrated that the Messenger of Allâh ﷺ said, **"One should not undertake journeys except to three mosques: *al-Masjid al-Harâm*** (in *Makkah*)**, the *Aqsâ* mosque, or this mosque** (in *Madînah)*.**"**[212] Agreed upon.

212- Scholars say that if one makes a vow to perform *I'tikâf* in one of these three mosques in particular, then he should fulfill his vow, due to this hadîth, which indicates that these mosques have special preference over any other mosque. But if someone vows to perform *I'tikâf* in another mosque, it is not obligatory on him to fulfill it and he may perform it in any place.

# كِتَابُ الْحَجِّ

# Book VI: Pilgrimage

## بَابُ فَضْلِهِ وَبَيَانِ مَنْ فُرِضَ عَلَيْهِ

## *Chapter I: Its virtues and those upon whom <u>H</u>ajj (Pilgrimage) is obligatory*

٧٢٨ ـ عَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «الْعُمْرَةُ إِلَى الْعُمْرَةِ كَفَّارَةٌ لِمَا بَيْنَهُمَا ، وَالْحَجُّ الْمَبْرُورُ لَيْسَ لَهُ جَزَاءٌ إِلاَّ الْجَنَّةَ». مُتَّفَقٌ عَلَيْهِ .

728. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"The performance of *'Umrah* is an expiation for all the sins committed** (between this *'Umrah* and the previous one), **and the reward for *<u>H</u>ajj Mabrûr*** [213] (the one accepted by Allâh or the one which was performed without doing any wrong) **is nothing save Paradise."** Agreed upon.

٧٢٩ ـ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : قُلْتُ : يَا رَسُولَ اللَّهِ ، عَلَى النِّسَاءِ جِهَادٌ ؟ قَالَ : «نَعَمْ ، عَلَيْهِنَّ جِهَادٌ لاَ قِتَالَ فِيهِ : الْحَجُّ ، وَالْعُمْرَةُ». رَوَاهُ أَحْمَدُ ، وَابْنُ مَاجَهْ ، وَاللَّفْظُ لَهُ ، وَإِسْنَادُهُ صَحِيحٌ ، وَأَصْلُهُ فِي الصَّحِيحِ .

729. 'Â'ishah (RAA) narrated, 'I once asked the Messenger of Allâh ﷺ, 'O Messenger of Allâh! Is Jihâd incumbent upon women? He replied,**"Yes. They have to take part in Jihâd in which no fighting takes place, which is: *<u>H</u>ajj and 'Umrah.*"** Related by A<u>h</u>mad and Ibn Mâjah and the wording is his. It is reported with a sound chain of narrators.

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213- It is the *<u>H</u>ajj* accepted by Allâh or the one, which is performed pure of any sins or evil actions.

٧٣٠ ــ وَعَــنْ جَابِرِ بْنِ عَبْدِ اللَّهِ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : أَتَى النَّبِيَّ صَلَّى اللَّهُ عَلَــيْهِ وَسَــلَّمَ أَعْرَابِيٌّ ، فَقَالَ : يَا رَسُولَ اللَّهِ ، أَخْبِرْنِي عَنِ الْعُمْرَةِ ، أَوَاجِبَةٌ هِيَ ؟ فَقَالَ : «لاَ ، وَأَنْ تَعْتَمِرَ خَيْرٌ لَكَ». رَوَاهُ أَحْمَدُ ، وَالتِّرْمِذِيُّ ، وَالرَّاجِحُ وَقْفُهُ .
وَأَخْرَجَهُ ابْنُ عَدِيٍّ مِنْ وَجْهٍ آخَرَ ضَعِيفٍ ، عَنْ جَابِرٍ - رَضِيَ اللَّهُ عَنْهُ - مَرْفُوعًا : «الْحَجُّ وَالْعُمْرَةُ فَرِيضَتَانِ».

730. Jâbir bin ʿAbdullâh (RAA) narrated, 'A Bedouin came to the Prophet ﷺ and said, 'O Messenger of Allâh! Tell me about *ʿUmrah!* Is it compulsory? He replied ﷺ, **"No** (it is not compulsory), **but it is better for you to perform it."** Related by Ahmad and at-Tirmidhî. Scholars are of the opinion that it is *Mawqûf.*
Ibn ʿAdî narrated with a weak chain of narrators on the authority of Jâbir (RAA) in a Hadîth *Marfûʿ* (connected to the Prophet ﷺ), **"*Hajj and ʿUmrah* are compulsory."**[214]

٧٣١ ــ وَعَــنْ أَنَــسٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قِيلَ يَا رَسُولَ اللَّهِ ، مَا السَّبِيلُ ؟ قَالَ : «الزَّادُ وَالرَّاحِلَةُ». رَوَاهُ الدَّارَقُطْنِيُّ ، وَصَحَّحَهُ الْحَاكِمُ ، وَالرَّاجِحُ إِرْسَالُهُ .

731. Anas (RAA) narrated that the Messenger of Allâh ﷺ was asked, 'What is *as-Sabîl?* [215]' The Messenger of Allâh ﷺ replied, **"Provision of food and means to make the journey."** Related by Ad-Dâraqutnî and rendered authentic by Al-Hâkim.

٧٣٢ ــ وَأَخْرَجَهُ التِّرْمِذِيُّ مِنْ حَدِيثِ ابْنِ عُمَرَ . وَفِي إِسْنَادِهِ ضَعْفٌ .

732. At-Tirmidhî reported the same hadîth on the authority of Ibn ʿUmar but with a weak chain of narrators.

214- Most scholars hold the opinion that *ʿUmrah* is *Sunnah* and not a compulsory duty.

215- The man is asking about what is meant by being able to perform *Hajj* as mentioned in the verse, ***"And Hajj is a duty that mankind owes to Allâh, those who can afford the journey," (3:97).***

٧٣٣ ــ وَعَنِ ابْنِ عَبَّاسٍ أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لَقِيَ رَكْبًا بِالرَّوْحَاءِ فَقَالَ : «مَنِ الْقَوْمُ ؟» فَقَالُوا : مَنْ أَنْتَ ؟ فَقَالَ : «رَسُولُ اللَّهِ» فَرَفَعَتْ إِلَيْهِ امْرَأَةٌ صَبِيًّا ، فَقَالَتْ : أَلِهَذَا حَجٌّ ؟ قَالَ : «نَعَمْ : وَلَكِ أَجْرٌ». رَوَاهُ مُسْلِمٌ .

733. Ibn ´Abbâs (RAA) narrated, 'The Messenger of Allâh ﷺ came across some riders at *ar-Rauhâ'* (a place near Madînah). He asked them, **"Who are you?"** They replied, 'Who are you?' He replied, **"I am the Messenger of Allâh."** A woman then lifted up a boy, and asked the Prophet, 'Will this boy be rewarded for *Hajj*?' The Messenger of Allâh ﷺ replied, **"Yes, and you too will be rewarded."** [216] Related by Muslim.

٧٣٤ ــ وَعَنْهُ ــ رَضِيَ اللَّهُ عَنْهُ ــ قَالَ : كَانَ الْفَضْلُ بْنُ عَبَّاسٍ ــ رَضِيَ اللَّهُ عَنْهُمَا ــ رَدِيفَ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، فَجَاءَتِ امْرَأَةٌ مِنْ خَثْعَمَ ، فَجَعَلَ الْفَضْلُ يَنْظُرُ إِلَيْهَا وَتَنْظُرُ إِلَيْهِ ، وَجَعَلَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَصْرِفُ وَجْهَ الْفَضْلِ إِلَى الشِّقِّ الآخَرِ ، فَقَالَتْ : يَا رَسُولَ اللَّهِ ، إِنَّ فَرِيضَةَ اللَّهِ عَلَى عِبَادِهِ فِي الْحَجِّ أَدْرَكَتْ أَبِي شَيْخًا كَبِيرًا ، لاَ يَثْبُتُ عَلَى الرَّاحِلَةِ ، أَفَأَحُجُّ عَنْهُ ؟ قَالَ : «نَعَمْ» وَذَلِكَ فِي حَجَّةِ الْوَدَاعِ . مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِلْبُخَارِيِّ .

734. Ibn ´Abbâs (RAA) narrated that 'Al-Fadl Ibn ´Abbâs was riding behind the Messenger of Allâh ﷺ when a woman from the tribe of *Khath´am* came along, and al-Fadl started looking at her and she also started looking at him. The Messenger of Allâh ﷺ kept on turning al-Fadl's face to the other side. She said, 'O Messenger of Allâh! Allâh has prescribed *Hajj* for His servants, and it has become due on my father who is an old man, who cannot sit stable on his mount. Shall I perform *Hajj* on his behalf?' The Prophet ﷺ replied, **"Yes, you may."** This incident took place during

216- The boy will be rewarded for his obedience, while the mother will be rewarded for carrying and instructing him to perform *Hajj*. This hadîth is evidence that performing *Hajj* by someone before attaining puberty is correct and acceptable, but once he attains the age of puberty, he is to perform *hajj* once again, as *Hajj* is compulsory on adults only.

the Farewell Pilgrimage of the Prophet ﷺ.. Agreed upon, and the wording is from Al-Bukhârî'.

٧٣٥ ـــ وَعَنْهُ – رَضِيَ اللَّهُ عَنْهُ – ، أَنَّ امْرَأَةً مِنْ جُهَيْنَةَ جَاءَتْ إِلَى النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَتْ : إِنَّ أُمِّي نَذَرَتْ أَنْ تَحُجَّ ، فَلَمْ تَحُجَّ حَتَّى مَاتَتْ ، أَفَأَحُجُّ عَنْهَا ؟ قَالَ : «نَعَمْ ، حُجِّي عَنْهَا ، أَرَأَيْتِ لَوْ كَانَ عَلَى أُمِّكِ دَيْنٌ ، أَكُنْتِ قَاضِيَتَهُ ؟ اقْضُوا اللَّهَ ، فَاللَّهُ أَحَقُّ بِالْوَفَاءِ». رَوَاهُ الْبُخَارِيُّ .

735. Ibn ´Abbâs (RAA) narrated, 'A woman from the tribe of *Juhainah* came to he Prophet ﷺ and said, 'My mother had vowed to perform *Hajj*, but she died before fulfilling her vow. Should I perform *Hajj* on her behalf?' The Prophet ﷺ said, **"Yes perform *Hajj* on her behalf. Had there been a debt on your mother, would you have paid it or not? So, pay off her debt to Allâh, for He is most deserving of settlement of His debt."** Related by Al-Bukhârî.

٧٣٦ ـــ وَعَنْهُ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «أَيُّمَا صَبِيٍّ حَجَّ ، ثُمَّ بَلَغَ الْحِنْثَ ، فَعَلَيْهِ أَنْ يَحُجَّ حَجَّةً أُخْرَى ، وَأَيُّمَا عَبْدٍ حَجَّ ، ثُمَّ أُعْتِقَ ، فَعَلَيْهِ أَنْ يَحُجَّ حَجَّةً أُخْرَى». رَوَاهُ ابْنُ أَبِي شَيْبَةَ ، وَالْبَيْهَقِيُّ ، وَرِجَالُهُ ثِقَاتٌ ، إِلاَّ أَنَّهُ اخْتُلِفَ فِي رَفْعِهِ ، وَالْمَحْفُوظُ أَنَّهُ مَوْقُوفٌ .

736. Ibn ´Abbâs (RAA) narrated that the Messenger of Allâh ﷺ said, **"Any minor (child) who performs *Hajj* must perform it again after coming of age; any slave who performs *Hajj* and is then freed, must perform his *Hajj* again."** Reported by Ibn Shaibah and Al-Baihaqî. Its narrators are authoritative but scholars say that it is *Mawqûf*.

٧٣٧ ـــ وَعَنْهُ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَخْطُبُ يَقُولُ : «لاَ يَخْلُوَنَّ رَجُلٌ بِامْرَأَةٍ إِلاَّ وَمَعَهَا ذُو مَحْرَمٍ ، وَلاَ تُسَافِرُ الْمَرْأَةُ إِلاَّ مَعَ ذِي مَحْرَمٍ» فَقَامَ رَجُلٌ ، فَقَالَ : يَا رَسُولَ اللَّهِ ، إِنَّ امْرَأَتِي خَرَجَتْ حَاجَّةً ،

وَإِنِّي اكْتُتِبْتُ فِي غَزْوَةِ كَذَا وَكَذَا ، فَقَالَ : «انْطَلِقْ ، فَحُجَّ مَعَ امْرَأَتِكَ». مُتَّفَقٌ عَلَيْهِ وَاللَّفْظُ لِمُسْلِمٍ .

737. Ibn ´Abbâs (RAA) narrated, 'I heard the Messenger of Allâh ﷺ saying, "A man must never be alone with a woman unless there is a *Mahram* [217] with her. A woman also may not travel with anyone except with a *Mahram* (relative)." A man stood up and asked, 'O Messenger of Allâh! My wife has gone for *Hajj* while I am enlisted for such and such a battle, what should I do?' The Messenger of Allâh ﷺ replied, "Go and join your wife in *Hajj*." Agreed upon, and the wording is from Muslim.

٧٣٨ ــ وَعَنْهُ أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ سَمِعَ رَجُلاً يَقُولُ : لَبَّيْكَ عَنْ شُبْرُمَةَ ، قَالَ : «مَنْ شُبْرُمَةَ ؟» قَالَ : أَخٌ لِي ، أَوْ قَرِيبٌ لِي ، فَقَالَ : «حَجَجْتَ عَنْ نَفْسِكَ ؟» قَالَ : لاَ ، قَالَ : «حُجَّ عَنْ نَفْسِكَ ثُمَّ حُجَّ عَنْ شُبْرُمَةَ». رَوَاهُ أَبُو دَاوُدَ ، وَابْنُ مَاجَهْ ، وَصَحَّحَهُ ابْنُ حِبَّانَ ، وَالرَّاجِحُ عِنْدَ أَحْمَدَ وَقْفُهُ .

738. Ibn ´Abbâs (RAA) narrated, 'The Messenger of Allâh ﷺ heard a man saying, 'O Allâh! Here I am in response to Your call (saying *Labbayk* on behalf...) on behalf of Shubrumah.' The Messenger of Allâh ﷺ asked him. **"Have you performed your own *Hajj*?"** He replied, 'No,' whereupon the Prophet ﷺ told him, **"You must perform *Hajj* on your own behalf first, and then perform it on behalf of Shubrumah."** Related by Abû Dawûd and Ibn Mâjah. Ibn Hibbân graded it as *Sahîh*.

٧٣٩ ــ وَعَنْهُ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : خَطَبَنَا رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ : «إِنَّ اللَّهَ كَتَبَ عَلَيْكُمُ الْحَجَّ» فَقَامَ الأَقْرَعُ بْنُ حَابِسٍ فَقَالَ : أَفِي كُلِّ عَامٍ يَا رَسُولَ اللَّهِ ؟ قَالَ : «لَوْ قُلْتُهَا لَوَجَبَتْ ، الْحَجُّ مَرَّةٌ ، فَمَا زَادَ فَهُوَ تَطَوُّعٌ». رَوَاهُ الْخَمْسَةُ غَيْرَ التِّرْمِذِيِّ .

739. Ibn ´Abbâs (RAA) narrated that the Messenger of Allâh ﷺ once addressed us and said, **"O People! *Hajj* has been presc-**

217- A man from among her relatives to whom she is not permitted to marry.

**ribed for you."** Al-Aqra´ bin H̱âbis stood up and asked, 'O Prophet of Allâh! Are we to perform *H̱ajj* every year?" The Messenger of Allâh ﷺ said, **"Had I said 'yes', it would have become a (yearly) obligation. *H̱ajj* is obligatory only once in one's lifetime. Whatever one does over and above this is supererogatory (a voluntary act) for him."** Related by the five Imâms except for at-Tirmidhî.

٧٤٠ ــ وَأَصْلُهُ فِي مُسْلِمٍ مِنْ حَدِيثِ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - .

740. A similar narration was also related by Muslim on the authority of Abû Hurairah.

## بَــابُ الْمَوَاقِيــتِ

## *Chapter II : Mawâqît: Fixed Times and Places For Iẖrâm*

٧٤١ ــ عَــنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَقَّــتَ لأَهْــلِ الْمَدِيــنَةِ : ذَا الْحُلَيْفَةِ ، وَلأَهْلِ الشَّامِ الْجُحْفَةَ ، وَلأَهْلِ نَجْدٍ قَرْنَ الْمَــنَازِلِ ، وَلأَهْــلِ الْيَمَنِ يَلَمْلَمَ ، هُنَّ لَهُنَّ وَلِمَنْ أَتَى عَلَيْهِنَّ مِنْ غَيْرِهِنَّ مِمَّنْ أَرَادَ الْحَجَّ أَوِ الْعُمْرَةَ ، وَمَنْ كَانَ دُونَ ذَلِكَ فَمِنْ حَيْثُ أَنْشَأَ ، حَتَّى أَهْلُ مَكَّةَ مِنْ مَكَّةَ». مُتَّفَقٌ عَلَيْهِ .

741. Ibn ´Abbâs (RAA) narrated that the Messenger of Allâh ﷺ specified for the people of Madînah, *DhulH̱ulaifah* (a place 540 km to the north of Makkah) as *miqât*.[218] For those coming from ash-Shâm (including Syria, Jordan and Palestine), he specified *al-Juẖfah* (a place 187 km to the north-west of Makkah and close to *Râbigh*, where they now perform their *Iẖrâm*). For those coming from *Najd*, he specified *Qran al-Manâzil*, (a mountain, 94 km to the east of Makkah, overlooking *´Arafah*. For those coming from Yemen, he specified *Yalamlam* (a mountain 54 km to the south of Makkah. These places are for the people (coming from the above

218- A place from where they must declare their intention for *H̱ajj* and enter the state of *Iẖrâm*.

specified countries) as well as for others, who pass by them on their way to perform *Hajj or 'Umrah*. Those living within those boundaries can assume *Ihrâm* from where they set out (for the journey), and even the residents of Makkah, their *Miqât* would be the place where they are staying in Makkah.' Agreed upon.

٧٤٢ ـــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَقَّتَ لِأَهْلِ الْعِرَاقِ ذَاتَ عِرْقٍ». رَوَاهُ أَبُو دَاوُدَ ، وَالنَّسَائِيُّ .

742. 'Â'ishah (RAA) narrated, 'The Messenger of Allâh ﷺ specified for those coming from Iraq, *Dhât 'Irq* (a place 94 km to the north-east of Makkah) as their *Miqât*.' Related by Abû Dawûd and An-Nasâ'î.

٧٤٣ ـــ وَأَصْلُهُ عِنْدَ مُسْلِمٍ مِنْ حَدِيثِ جَابِرٍ - رَضِيَ اللَّهُ عَنْهُ - ، إِلاَّ أَنَّ رَاوِيَهُ شَكَّ فِي رَفْعِهِ .

743. Muslim related a similar narration on the authority of Jâbir, but it is most probably *Mawqûf*.

٧٤٤ ـــ وَفِي صَحِيحِ الْبُخَارِيِّ : «أَنَّ عُمَرَ هُوَ الَّذِي وَقَّتَ ذَاتَ عِرْقٍ».

744. Al-Bukhârî reported that it was 'Umar, who specified *Dhât 'Irq* as the *miqât* (of those coming from Iraq).[219]

٧٤٥ ـــ وَعِنْدَ أَحْمَدَ ، وَأَبِي دَاوُدَ ، وَالتِّرْمِذِيِّ عَنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَقَّتَ لِأَهْلِ الْمَشْرِقِ الْعَقِيقَ».

745. Ibn 'Abbâs narrated that the Messenger of Allâh ﷺ specified *al-'Aqîq* (a part of *Dhât 'Irq*) for those coming from the east.' Related by Ahmad, Abû Dawûd and An-Nasâ'î.

219- After al-Basrah and al-Kûfah were conquered.

## بَــابُ وُجُــوهِ الإِحْــرَامِ وَصِفَتِــهِ

## *Chapter III : Kinds of I<u>h</u>râm*

٧٤٦ ــ عَــنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «خَرَجْنَا مَعَ رَسُولِ اللَّهِ صَلَّى اللَّــهُ عَلَــيْهِ وَسَــلَّمَ عَامَ حَجَّةِ الْوَدَاعِ ، فَمِنَّا مِنْ أَهَلَّ بِعُمْرَةٍ ، وَمِنَّا مَنْ أَهَلَّ بِحَجٍّ وَعُمْــرَةٍ ، وَمِنَّا مَنْ أَهَلَّ بِحَجٍّ ، وَأَهَلَّ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بِالْحَجِّ فَأَمَّا مَنْ أَهَلَّ بِعُمْرَةٍ فَحَلَّ عِنْدَ قُدُومِهِ ، وَأَمَّا مَنْ أَهَلَّ بِحَجٍّ ، أَوْ جَمَعَ بَيْنَ الْحَجِّ وَالْعُمْرَةِ فَلَمْ يَحِلُّوا حَتَّى كَانَ يَوْمُ النَّحْرِ». مُتَّفَقٌ عَلَيْهِ .

746. ´Â'ishah (RAA) narrated, 'We left Madînah with the Messenger of Allâh ﷺ to perform the Farewell *<u>H</u>ajj*. Some of us decalred *I<u>h</u>râm* to perform *´Umrah, w*hile others declared their intentions to perform both *<u>H</u>ajj* and *´Umrah*. Yet others declared their Ihram to perform *<u>H</u>ajj* only. The Prophet ﷺ declared *I<u>h</u>râm* for *<u>H</u>ajj* only. Those who intended *´Umrah* terminated their *I<u>h</u>râm* as soon as they finished the rituals of *´Umrah*. Those who intended to perform *<u>H</u>ajj* only or to combine *<u>H</u>ajj* with *'Umrah*, did not terminate their *I<u>h</u>râm* until the Day of Slaughtering (i.e. the day of sacrifice or *´Îdul A<u>d</u>-<u>h</u>â*).' Agreed upon.

## بَــابُ الإِحْــرَامِ وَمَــا يَتَعَلَّــقُ بِــهِ

## *Chapter IV : The Etiquettes of I<u>h</u>râm*

٧٤٧ ــ عَــنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : «مَا أَهَلَّ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِلاَّ مِنْ عِنْدِ الْمَسْجِدِ». مُتَّفَقٌ عَلَيْهِ .

747. Ibn ´Umar (RAA) narrated, 'The Messenger of Allâh ﷺ used to start saying the *Talbiyah* (after entering the state of *I<u>h</u>râm*) from the mosque of *Dhul <u>H</u>ulaifah* (i.e. from the *Miqât* of Madînah).' Agreed upon.

٧٤٨ ــ وَعَــنْ خَــلاَدِ بْــنِ السَّــائِبِ عَنْ أَبِيهِ - رَضِيَ اللَّهُ عَنْهُمَا - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : « أَتَانِي جِبْرِيلُ ، فَأَمَرَنِي أَنْ آمُرَ أَصْحَابِي أَنْ يَرْفَعُوا

أَصْوَاتِهِمْ بِالإِهْلاَلِ ». رَوَاهُ الْخَمْسَةُ ، وَصَحَّحَهُ التِّرْمِذِيُّ وَابْنُ حِبَّانَ .

748. Khallâd bin as-Sâ'ib narrated on the authority of his father, 'The Messenger of Allâh ﷺ said, **"*Jibrîl* (peace be upon him) came to me and told me: 'Command your Companions to raise their voices when saying *Talbiyah*."** Related by the five Imâms and rendered authentic by At-Tirmidhî and Ibn Hibbân.

٧٤٩ ـــ وَعَنْ زَيْدِ بْنِ ثَابِتٍ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ تَجَرَّدَ لإِهْلاَلِهِ وَاغْتَسَلَ». رَوَاهُ التِّرْمِذِيُّ ، وَحَسَّنَهُ .

749. Zaid bin Thâbit (RAA) narrated, 'When the Messenger of Allâh ﷺ intended to make *Ihrâm* for *Hajj*, he would wash, and take off his ordinary clothes (and put on his white *Ihrâm*).' Related by At-Tirmidhî who declared it to be *Hadîth Hasan*.

٧٥٠ ـــ وَعَنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - : أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ سُئِلَ : مَا يَلْبَسُ الْمُحْرِمُ مِنَ الثِّيَابِ ؟ قَالَ : «لاَ يَلْبَسُ الْقَمِيصَ ، وَلاَ الْعَمَائِمَ، وَلاَ السَّرَاوِيلاَتِ ، وَلاَ الْبَرَانِسَ ، وَلاَ الْخِفَافَ ، إِلاَّ أَحَدٌ لاَ يَجِدُ نَعْلَيْنِ فَلْيَلْبَسِ الْخُفَّيْنِ وَلْيَقْطَعْهُمَا أَسْفَلَ مِنَ الْكَعْبَيْنِ ، وَلاَ تَلْبَسُوا شَيْئًا مِنَ الثِّيَابِ مَسَّهُ الزَّعْفَرَانُ وَلاَ الْوَرْسُ». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِمُسْلِمٍ .

750. Ibn 'Umar (RAA) narrated, 'The Messenger of Allâh ﷺ was asked about what the person who is in a state of *Ihrâm* (*Muhrim*) should wear. He answered, **"A person in the state of *Ihrâm* is not allowed to wear a sewn shirt, a turban, trousers, a hooded robe, shoes or sewn slippers (*Khuff*[220]), unless one is unable to find unsown slippers, then he may wear his *Khuff* or shoes provided one cuts them below the ankles, and you must not wear clothing that has been dyed with sweet smelling fragrance (such as saffron)."** Agreed upon, and the wording is from Muslim.

220- Leather foot-wear which covers the ankles

٧٥١ ــ وَعَــنْ عَائِشَــةَ قَالَــتْ : «كُنْتُ أُطَيِّبُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لإِحْرَامِهِ قَبْلَ أَنْ يُحْرِمَ ، وَلِحِلِّهِ قَبْلَ أَنْ يَطُوفَ بِالْبَيْتِ». مُتَّفَقٌ عَلَيْهِ .

751. 'Â'ishah (RAA) narrated, 'I used to apply perfume to the Prophet ﷺ when he intended to enter the state of *Ihrâm*, before he put on his *Ihrâm* (garments). And again when he ended his state of *Ihrâm*, but before he had made *Tawâf* around the *Ka'bah*.'[221] Agreed upon.

٧٥٢ ــ وَعَــنْ عُثْمَانَ بْنِ عَفَّانَ – رَضِيَ اللَّهُ عَنْهُ – أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لاَ يَنْكِحُ الْمُحْرِمُ ، وَلاَ يُنْكِحُ ، وَلاَ يَخْطُبُ». رَوَاهُ مُسْلِمٌ .

752. 'Uthmân bin 'Affân (RAA) narrated that the Messenger of Allâh ﷺ said, **"A *Muhrim*** (one in the state of *Ihrâm*) **must not contract marriage, nor help others contract marriage, nor get engaged to marry."** Related by Muslim.

٧٥٣ ــ وَعَــنْ أَبِــي قَتَادَةَ الأَنْصَارِيِّ – رَضِيَ اللَّهُ عَنْهُ – فِي قِصَّةِ صَيْدِهِ الْحِمَارَ الْوَحْشِيَّ ، وَهُوَ غَيْرُ مُحْرِمٍ – قَالَ : فَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لأَصْحَابِهِ – وَكَــانُوا مُحْرِمِينَ – : «هَلْ مِنْكُمْ أَحَدٌ أَمَرَهُ أَوْ أَشَارَ إِلَيْهِ بِشَيْءٍ ؟» قَالُوا : لاَ ، قَالَ : «فَكُلُوا مَا بَقِيَ مِنْ لَحْمِهِ». مُتَّفَقٌ عَلَيْهِ .

753. Abû Qatâdah Al-Ansârî (RAA) narrated concerning his hunting a zebra while he is not in a state of *Ihrâm*,[222] *that* 'Allâh's

221- Perfume may be used on the body as well as on the *Hajj* garments, but only before making the intention to enter the state of *Ihrâm*.

222- Abû Qatâdah reported that Allâh' s Messenger ﷺ went out to perform *Hajj* and they accompanied him. The Prophet ﷺ dispatched a group, including Abû Qatâdah, and told them to follow the seashore until they meet him again. All of them except for Abû Qatâdah were in the state of *Ihrâm*. On the way, they saw a herd of zebras. Abû Qatâdah caught a female zebra and they all ate from its meat, but they wondered if it was permissible for them to eat of it as they were in the state of *Ihrâm* (because it is not permissible for the one in the state of *Ihrâm* to engage in hunting or eating land game). Then they carried the rest of the meat to the Prophet ﷺ, and told him the whole story. The Prophet ﷺ asked them, **"Did any of you ask Abû Qatâdah to attack the herd,....."**

Messenger ﷺ said to Abû Qatâdah's companions –who were in a state of *I<u>h</u>râm,* **"Did any one of you ask Abû Qatâdah to attack the herd, or point it out to him?"** They said, 'No.' The Prophet ﷺ then said, **"Then, you may eat what is left of the quarry."** Agreed upon.

٧٥٤ ــ وَعَنِ الصَّعْبِ بْنِ جَثَّامَةَ اللَّيْثِيِّ – رَضِيَ اللَّهُ عَنْهُ – ، أَنَّهُ أَهْدَى لِرَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ حِمَارًا وَحْشِيًّا ، وَهُوَ بِالأَبْوَاءِ ، أَوْ بِوَدَّانَ ، فَرَدَّهُ عَلَيْهِ ، وَقَالَ : «إِنَّا لَمْ نَرُدَّهُ عَلَيْكَ إِلاَّ أَنَّا حُرُمٌ». مُتَّفَقٌ عَلَيْهِ .

754. A<u>s</u>-<u>S</u>a'b bin Jath-thâmah al-Laithî (RAA) narrated, 'He presented to the Prophet ﷺ the meat of a zebra while he was in the area known as al-Abwâ' or Waddân. The Prophet ﷺ declined it, and said to him, **"We declined your present only because we are in the state of *I<u>h</u>râm.*"** [223] Agreed upon.

٧٥٥ ــ وَعَــنْ عَائِشَةَ – رَضِيَ اللَّهُ عَنْهَا – قَالَتْ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ : «خَمْسٌ مِنَ الدَّوَابِّ كُلُّهُنَّ فَوَاسِقُ ، يُقْتَلْنَ فِي الْحِلِّ وَالْحَرَمِ : الْعَقْرَبُ ، وَالْحِدَأَةُ ، وَالْغُرَابُ ، وَالْفَأْرَةُ ، وَالْكَلْبُ الْعَقُورُ». مُتَّفَقٌ عَلَيْهِ .

755. 'Â'ishah (RAA) narrated, 'The Messenger of Allâh ﷺ said, **"Five kinds of animals are vicious and harmful, and they may be killed outside or inside the sacred area of *<u>H</u>aram (Sanctuary).* These are: the scorpion, the kite, the crow, the mouse, and the rabid dog."** Agreed upon.

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(as in the <u>h</u>adîth). Scholars deduced from this story that it is permissible for the *Mu<u>h</u>rim* to eat land game as long as he did not ask for it to be hunted, pointed it out to the person who hunted it or helped in the hunt.

223- The Prophet ﷺ declined the present because the man caught it especially for the Prophet ﷺ while he was in the state of *I<u>h</u>râm.* What is allowed for the *mu<u>h</u>rim* is to eat what was given as a present from land game that was not caught for the *mu<u>h</u>rim* but for the one who is not in the state of *I<u>h</u>râm, who* caught it for himself and then decided to give some of it to the *mu<u>h</u>rim* as a present.

٧٥٦ ــ وَعَــنِ ابْنِ عَبَّاسٍ – رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا – : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ احْتَجَمَ وَهُوَ مُحْرِمٌ». مُتَّفَقٌ عَلَيْهِ .

756. Ibn ʿAbbâs (RAA) narrated, 'The Messenger of Allâh ﷺ had himself cupped while he was in the state of *Iḥrâm*.' Agreed upon.

٧٥٧ ــ وَعَــنْ كَعْبِ بْنِ عُجْرَةَ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : حُمِلْتُ إِلَى رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَالْقَمْلُ يَتَنَاثَرُ عَلَى وَجْهِي ، فَقَالَ : «مَا كُنْتُ أُرَى الْوَجَعَ بَلَغَ بِــكَ مَــا أَرَى ، أَتَجِدُ شَاةً ؟» قُلْتُ : لاَ . قَالَ : «فَصُمْ ثَلاَثَةَ أَيَّامٍ ، أَوْ أَطْعِمْ سِتَّةَ مَسَاكِينَ ، لِكُلِّ مِسْكِينٍ نِصْفُ صَاعٍ». مُتَّفَقٌ عَلَيْهِ .

757. Kaʿb bin ʿUjrah (RAA) narrated, 'I was carried to the Prophet ﷺ and the lice were falling over my face. He said, **"I did not know that your disease is hurting you as much as what I see. Can you sacrifice a sheep?"** I said, 'No.' He then said, **"Fast for three days or feed six poor people, half a *Ṣâʿ* each."** [224] Agreed upon.

٧٥٨ ــ وَعَــنْ أَبِي هُرَيْرَةَ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : لَمَّا فَتَحَ اللَّهُ – تَعَالَى – عَلَى رَسُولِهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ مَكَّةَ ، قَامَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فِي النَّاسِ ، فَحَمِــدَ اللَّــهَ وَأَثْنَى عَلَيْهِ ، ثُمَّ قَالَ : «إِنَّ اللَّهَ حَبَسَ عَنْ مَكَّةَ الْفِيلَ ، وَسَلَّطَ عَلَيْهَا رَسُــولَهُ وَالْمُؤْمِــنِينَ ، وَإِنَّهَا لَمْ تَحِلَّ لأَحَدٍ كَانَ قَبْلِي ، وَإِنَّمَا أُحِلَّتْ لِي سَاعَةً مِنْ نَهَــارٍ ، وَإِنَّهَا لَنْ تَحِلَّ لأَحَدٍ بَعْدِي ، فَلاَ يُنَفَّرُ صَيْدُهَا ، وَلاَ يُخْتَلَى شَوْكُهَا ، وَلاَ تَحِــلُّ سَاقِطَتُهَا إِلاَّ لِمُنْشِدٍ ، وَمَنْ قُتِلَ لَهُ قَتِيلٌ فَهُوَ بِخَيْرِ النَّظَرَيْنِ». فَقَالَ الْعَبَّاسُ : «إِلاَّ الإِذْخِرَ». مُتَّفَقٌ عَلَيْهِ .

758. Abû Hurairah (RAA) narrated, 'When Allâh, the Most High granted His Messenger ﷺ victory on the conquest of Makkah, the Prophet ﷺ addressed the people, so he glorified Allâh and praised Him, and said, **"Allâh withheld the elephant from**

224- In another narration: of dates.

**Makkah**[225] **and empowered His Messenger and the believers over it. It has not been made lawful** (i.e. fighting in it) **for anyone before me, but it has been lawful for me only for a few hours on that day** (of the conquest)**, and it will not be made lawful to anyone after me** (to enter it fighting). **Its wild game must not be frightened, its thorns are not to be cut. No one is allowed to pick up lost articles** (*Luqatah*) **unless he announces it** (what he has found) **publicly** (in order to return it to the owner). **If anyone has someone murdered inside its boundaries, then he has the choice of the best of two options** (i.e. either to accept compensation, i.e. blood money or to retaliate). Al-´Abbâs then said, 'Except for the *Idhkhar* (a kind of nice smelling grass, which is used by goldsmiths and burnt in households.) [226]

٧٥٩ ــ وَعَنْ عَبْدِ اللَّهِ بْنِ زَيْدِ بْنِ عَاصِمٍ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «إِنَّ إِبْرَاهِيمَ حَرَّمَ مَكَّةَ وَدَعَا لأَهْلِهَا ، وَإِنِّي حَرَّمْتُ الْمَدِينَةَ كَمَا حَرَّمَ إِبْرَاهِيمُ مَكَّةَ ، وَإِنِّي دَعَوْتُ فِي صَاعِهَا وَمُدِّهَا بِمِثْلِ مَا دَعَا بِهِ إِبْرَاهِيمُ لأَهْلِ مَكَّةَ». مُتَّفَقٌ عَلَيْهِ .

759. ´Abdullâh bin Zaid bin ´Âsim (RAA) narrated that the Messenger of Allâh ﷺ said, **"Ibrâhîm declared Makkah as a *Haram*** (Sanctuary) **and made supplication for its people, and I declare Madînah to be a *Haram* just as Ibrâhîm declared Makkah as a *Haram*, and I made supplication for its *Mudd* and *Sâ´*** (refer to hadîth no. 650), **just as Ibrâhîm made supplication for the people of Makkah."** Agreed upon.

٧٦٠ ــ وَعَنْ عَلِيِّ بْنِ أَبِي طَالِبٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «الْمَدِينَةُ حَرَامٌ مَا بَيْنَ عَيْرٍ إِلَى ثَوْرٍ». رَوَاهُ مُسْلِمٌ .

225- Referring to the Abyssinian expedition against Makkah, meaning to destroy the *Ka´bah*, but Allâh, protected His Sacred House, and they went back defeated after Allâh sent flocks of birds on them (*Sûrah 105*).

226- In another narration the Prophet ﷺ said to Al-´Abbâs, **"Except for the *Idhkhar*."** Which means that it is excluded from the prohibition of cutting wild plants for the reasons that Al-´Abbâs mentioned.

760. ´Alî bin Abî Tâlib (RAA) narrated that the Messenger of Allâh ﷺ said, **"Madînah is a *Haram* (*Sanctuary*) and its Sacred Precincts extend from ´Air to Thawr** (the names of two mountains)." Related by Muslim.

## بَابُ صِفَةِ الْحَجِّ وَدُخُولِ مَكَّةَ

## *Chapter V : Description of Hajj Rituals and Entering Makkah*

٧٦١ — عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ - رَضِيَ اللَّهُ عَنْهُمَا - ، أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ حَجَّ فَخَرَجْنَا مَعَهُ ، حَتَّى إِذَا أَتَيْنَا ذَا الْحُلَيْفَةِ ، فَوَلَدَتْ أَسْمَاءُ بِنْتُ عُمَيْسٍ فَقَالَ : «اغْتَسِلِي وَاسْتَثْفِرِي بِثَوْبٍ ، وَأَحْرِمِي» ، وَصَلَّى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فِي الْمَسْجِدِ ، ثُمَّ رَكِبَ الْقَصْوَاءَ حَتَّى إِذَا اسْتَوَتْ بِهِ عَلَى الْبَيْدَاءِ أَهَلَّ بِالتَّوْحِيدِ : «لَبَّيْكَ اللَّهُمَّ لَبَّيْكَ ، لَبَّيْكَ لاَ شَرِيكَ لَكَ لَبَّيْكَ ، إِنَّ الْحَمْدَ وَالنِّعْمَةَ لَكَ وَالْمُلْكَ ، لاَ شَرِيكَ لَكَ» حَتَّى إِذَا أَتَيْنَا الْبَيْتَ اسْتَلَمَ الرُّكْنَ ، فَرَمَلَ ثَلاَثًا وَمَشَى أَرْبَعًا ، ثُمَّ أَتَى مَقَامَ إِبْرَاهِيمَ فَصَلَّى ، ثُمَّ رَجَعَ إِلَى الرُّكْنِ فَاسْتَلَمَهُ ، ثُمَّ خَرَجَ مِنَ الْبَابِ إِلَى الصَّفَا ، فَلَمَّا دَنَا مِنَ الصَّفَا قَرَأَ : {إِنَّ الصَّفَا وَالْمَرْوَةَ مِنْ شَعَائِرِ اللَّهِ} [الْبَقَرَة : ١٥٨] «أَبْدَأُ بِمَا بَدَأَ اللَّهُ بِهِ» فَرَقِيَ الصَّفَا ، حَتَّى رَأَى الْبَيْتَ ، فَاسْتَقْبَلَ الْقِبْلَةَ ، فَوَحَّدَ اللَّهَ وَكَبَّرَهُ ، وَقَالَ : «لاَ إِلَهَ إِلاَّ اللَّهُ وَحْدَهُ ، لاَ شَرِيكَ لَهُ ، لَهُ الْمُلْكُ ، وَلَهُ الْحَمْدُ ، وَهُوَ عَلَى كُلِّ شَيْءٍ قَدِيرٌ ، لاَ إِلَهَ إِلاَّ اللَّهُ وَحْدَهُ ، أَنْجَزَ وَعْدَهُ ، وَنَصَرَ عَبْدَهُ ، وَهَزَمَ الأَحْزَابَ وَحْدَهُ» ثُمَّ دَعَا بَيْنَ ذَلِكَ قَالَ مِثْلَ هَذَا ثَلاَثَ مَرَّاتٍ ، ثُمَّ نَزَلَ إِلَى الْمَرْوَةِ ، حَتَّى إِذَا انْصَبَّتْ قَدَمَاهُ فِي بَطْنِ الْوَادِي سَعَى ، حَتَّى إِذَا صَعِدَتَا مَشَى حَتَّى أَتَى الْمَرْوَةَ ، فَفَعَلَ عَلَى الْمَرْوَةِ كَمَا فَعَلَ عَلَى الصَّفَا - وَذَكَرَ الْحَدِيثَ - وَفِيهِ : فَلَمَّا كَانَ يَوْمُ التَّرْوِيَةِ تَوَجَّهُوا إِلَى مِنًى ، وَرَكِبَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، فَصَلَّى بِهَا الظُّهْرَ ، وَالْعَصْرَ ، وَالْمَغْرِبَ ، وَالْعِشَاءَ ، وَالْفَجْرَ ، ثُمَّ مَكَثَ قَلِيلاً حَتَّى طَلَعَتِ الشَّمْسُ ، فَأَجَازَ حَتَّى أَتَى عَرَفَةَ ، فَوَجَدَ الْقُبَّةَ

قَدْ ضُرِبَتْ لَهُ بِنَمِرَةَ فَنَزَلَ بِهَا ، حَتَّى إِذَا زَاغَتِ الشَّمْسُ أَمَرَ بِالْقَصْوَاءِ ، فَرُحِلَتْ لَهُ ، فَأَتَى بَطْنَ الْوَادِي ، فَخَطَبَ النَّاسَ ، ثُمَّ أَذَّنَ ثُمَّ أَقَامَ ، فَصَلَّى الظُّهْرَ ، ثُمَّ أَقَامَ فَصَلَّى الْعَصْرَ ، وَلَمْ يُصَلِّ بَيْنَهُمَا شَيْئًا ، ثُمَّ رَكِبَ حَتَّى أَتَى الْمَوْقِفَ فَجَعَلَ بَطْنَ نَاقَتِهِ الْقَصْوَاءَ إِلَى الصَّخَرَاتِ ، وَجَعَلَ حَبْلَ الْمُشَاةِ بَيْنَ يَدَيْهِ وَاسْتَقْبَلَ الْقِبْلَةَ ، فَلَمْ يَزَلْ وَاقِفًا حَتَّى غَرَبَتِ الشَّمْسُ ، وَذَهَبَتِ الصُّفْرَةُ قَلِيلاً ، حَتَّى غَابَ الْقُرْصُ ، وَدَفَعَ ، وَقَدْ شَنَقَ لِلْقَصْوَاءِ الزِّمَامَ حَتَّى إِنَّ رَأْسَهَا لَيُصِيبُ مَوْرِكَ رَحْلِهِ ، وَيَقُولُ بِيَدِهِ الْيُمْنَى : «يَا أَيُّهَا النَّاسُ ، السَّكِينَةَ ، السَّكِينَةَ» ، وَكُلَّمَا أَتَى حَبْلاً مِنَ الْحِبَالِ أَرْخَى لَهَا قَلِيلاً حَتَّى تَصْعَدَ ، حَتَّى أَتَى الْمُزْدَلِفَةَ ، فَصَلَّى بِهَا الْمَغْرِبَ وَالْعِشَاءَ ، بِأَذَانٍ وَاحِدٍ وَإِقَامَتَيْنِ ، وَلَمْ يُسَبِّحْ بَيْنَهُمَا شَيْئًا ، ثُمَّ اضْطَجَعَ حَتَّى طَلَعَ الْفَجْرُ ، وَصَلَّى الْفَجْرَ ، حِينَ تَبَيَّنَ لَهُ الصُّبْحُ بِأَذَانٍ وَإِقَامَةٍ ، ثُمَّ رَكِبَ حَتَّى أَتَى الْمَشْعَرَ الْحَرَامَ ، فَاسْتَقْبَلَ الْقِبْلَةَ ، فَدَعَاهُ ، وَكَبَّرَهُ ، وَهَلَّلَهُ ، فَلَمْ يَزَلْ وَاقِفًا حَتَّى أَسْفَرَ جِدًّا ، فَدَفَعَ قَبْلَ أَنْ تَطْلُعَ الشَّمْسُ ، حَتَّى أَتَى بَطْنَ مُحَسِّرٍ فَحَرَّكَ قَلِيلاً ، ثُمَّ سَلَكَ الطَّرِيقَ الْوُسْطَى الَّتِي تَخْرُجُ عَلَى الْجَمْرَةِ الْكُبْرَى ، حَتَّى أَتَى الْجَمْرَةَ الَّتِي عِنْدَ الشَّجَرَةِ ، فَرَمَاهَا بِسَبْعِ حَصَيَاتٍ ، يُكَبِّرُ مَعَ كُلِّ حَصَاةٍ مِنْهَا ، كُلُّ حَصَاةٍ مِثْلُ حَصَى الْخَذْفِ ، رَمَى مِنْ بَطْنِ الْوَادِي ، ثُمَّ انْصَرَفَ إِلَى الْمَنْحَرِ فَنَحَرَ ، ثُمَّ رَكِبَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ ، فَأَفَاضَ إِلَى الْبَيْتِ ، فَصَلَّى بِمَكَّةَ الظُّهْرَ . رَوَاهُ مُسْلِمٌ مُطَوَّلاً .

761. Jâbir bin ´Abdullâh (RAA) narrated, 'The Messenger of Allâh ﷺ performed Hajj (on the 10th year of Hijrah), and we set out with him (to perform Hajj). When we reached Dhul-Hulaifah, Asmâ' bint ´Umais gave birth to Muhammad Ibn Abî Bakr. She sent a message to the Prophet ﷺ (asking him what she should do). He said, **"Take a bath, bandage your private parts and make the intention for *Ihrâm*."** The Prophet ﷺ then prayed in the mosque and then mounted *al-Qaswâ'* (his she-camel) and it stood erect with him on its back at al-Baidâ' (the place where he started his *Ihrâm*). He then started pronouncing the *Talbiyah*, saying: ***"Labbaika Allâhumma labbaik labbaika la sharika laka labbaik, innal hamda wan-ni'mata laka wal mulk, la sha-***

***rika lak*** (O Allâh! I hasten to You. You have no partner. I hasten to You. All praise and grace is Yours and all Sovereignty too; You have no partner). When we came with him to the House (of Allâh), he placed his hands on the Black Stone (*Hajar al Aswad*) and kissed it. He then started to make seven circuits (round the *Ka'bah*), doing *ramal* (trotting) in three of them and walking (at his normal pace) four other circuits. Then going to the place of Ibrâhîm (*Maqâm Ibrâhîm*), there he prayed two *rak'ât*. He then returned to the Black Stone (*Hajar al Aswad*) placed his hands on it and kissed it. Then he went out of the gate to Safa, and as he approached it, he recited: ***"Verily as-Safa and Marwah are among the signs appointed by Allâh,"(2:158),*** adding,**"I begin with what Allâh began."** He first mounted *as-Safa* until he saw the House, and facing the Qiblah he declared the Oneness of Allah and glorified Him and said: ***'La ilaha illa-llâh wahdahu la sharika lahu, lahul mulk wa lahul hamd, wa huwa 'ala kulli shai'in qadeer, la ilaha illa-llâhu wahdahu anjaza wa'dahu, wa nasara 'abdahu, wa hazamal ahzaba wahdah'*** (There is no God but Allâh, He is One, and has no partner. His is the dominion, and His is the praise and He has Power over all things. There is no God but Allâh alone, Who fulfilled His promise, helped His servant and defeated the confederates alone.") He said these words three times making supplications in between. He then descended and walked towards *Marwah*, and when his feet touched the bottom of the valley, he ran; and when he began to ascend, he walked (at his normal pace) until he reached *Marwah*. There he did as he had done at *Safa*.....

When it was the day of *Tarwiyah* (8th of *Dhul-Hijjah*) they went to *Minâ* and put on the *Ihrâm* for *Hajj* and the Messenger of Allâh ﷺ rode his mount, and there he led the *Dhuhr* (noon), *'Asr* (afternoon), *Maghrib* (sunset), *'Ishâ* and *Fajr* (dawn) prayers. He then waited a little until the sun had risen, and commanded that a tent be pitched at *Namirah* (close to *Arafât*). The Messenger of Allâh ﷺ, continued on until he came to *'Arafah* and he found that the tent had been pitched for him at *Namirah*. There he got down until the sun had passed its meridian; he commanded that *al-Qaswâ'* be brought and saddled for him, then he came to the bottom of the valley, and addressed the people with the well-known sermon *Khutbat al-Wadâ'* (the Farewell Sermon). Then the *Adhân* was pronounced and later on the *Iqâmah* and the Prophet ﷺ led the

*Dhuhr* (noon) prayer. Then another *Iqâmah* was pronounced and the Prophet ﷺ led the *'Asr* (afternoon) prayer and he observed no other prayer in between the two.

The Messenger of Allah ﷺ then mounted his camel and came to the place where he was to stay. He made his she-camel, *al-Qaswâ'*, turn towards the rocky side, with the pedestrian path lying in front of him. He faced the *Qiblah*, and stood there until the sun set, and the yellow light diminished somewhat, and the disc of the sun totally disappeared. He pulled the nose string of *al-Qaswâ'* so forcefully that its head touched the saddle (in order to keep her under perfect control), and pointing with his right hand, advised the people to be moderate (in speed) saying: **"O people! Calmness! Calmness!"** Whenever he passed over an elevated tract of land, he slightly loosened the nose-string of his camel until she climbed up. This is how he reached *al-Muzdalifah*. There he led the *Maghrib* (sunset) and *'Ishâ* prayers with one *Adhân* and two *Iqâmas,* and did not pray any optional prayers in between them.

The Messenger of Allâh ﷺ then lay down until dawn and then offered the *Fajr* (dawn) prayer with an *Adhân* and an *Iqâmah* when the morning light was clear. He again mounted *al-Qaswâ'*, and when he came to *Al-Mash'ar Al-Haram* (The Sanctuary Landmark, which is a small mountain at *al-Muzdalifah*) he faced the *Qiblah*, and supplicated to Allâh, Glorified Him, and pronounced His Uniqueness and Oneness, and kept standing until the daylight was very clear. Then he set off quickly before the sun rose, until he came to the bottom of the valley of *Muhassir* where he urged her (*al-Qaswâ'*) a little. He followed the middle road, which comes out at the greatest *Jamarah* (one of the three stoning sites called *Jamrat-ul 'Aqabah*), he came to *Jamarah* which is near the tree. At this he threw seven small pebbles, saying, '*Allâhu Akbar*' while throwing each of them in a manner in which small pebbles are thrown (holding them with his fingers) and this he did while at the bottom of the valley.

He then went to the place of sacrifice, and sacrificed sixty-three (camels) with his own hand (he brought 100 camels with him and he asked 'Alî to sacrifice the rest). The Messenger of Allah ﷺ again rode and came to the House (of Allâh), where he performed *Tawâf Al-Ifâdah* and offered the *Dhuhr* prayer at Makkah...' Muslim transmitted this hadîth through a very long narration describing the full details of the *Hajj* of the Prophet ﷺ.

٧٦٢ ــ وَعَــنْ خُــزَيْمَةَ بْنِ ثَابِتٍ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ كَانَ إِذَا فَرَغَ مِنْ تَلْبِيَتِهِ فِي حَجٍّ أَوْ عُمْرَةٍ سَأَلَ اللَّهَ رِضْوَانَهُ وَالْجَنَّةَ وَاسْتَعَاذَ بِرَحْمَتِهِ مِنَ النَّارِ». رَوَاهُ الشَّافِعِيُّ بِإِسْنَادٍ ضَعِيفٍ .

762. Khuzaimah bin Thâbit (RAA) narrated, 'When the Messenger of Allâh ﷺ finished his *Talbiyah* whether in <u>H</u>*ajj* or *'Umrah,* he would ask Allâh for His good pleasure and acceptance and ask Him for Paradise, and would seek refuge in Him from Hell.' Related by Ash-Shâfi'î with a weak chain of narrators.

٧٦٣ ــ وَعَــنْ جَابِــرٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ : «نَحَرْتُ هَا هُنَا ، وَمِنًى كُلُّهَا مَنْحَرٌ ، فَانْحَرُوا فِي رِحَالِكُمْ ، وَوَقَفْتُ هَا هُنَا وَعَرَفَةُ كُلُّهَا مَوْقِفٌ ، وَوَقَفْتُ هَا هُنَا وَجَمْعٌ كُلُّهَا مَوْقِفٌ». رَوَاهُ مُسْلِمٌ .

763. Jâbir (RAA) narrated that the Messenger of Allâh ﷺ said, **"I have offered my sacrifice here** (at *Minâ*) **and all of *Minâ* is a place for slaughtering, so sacrifice where you are staying** (at *Minâ*). **And I have stopped here** [227] (at *'Arafât*) **and all of *'Arafât* is a stopping place** (for the Day of *'Arafah* on the 9th of *Dhul-*<u>H</u>*ijjah*). **And I have stood here, and all of *Jam'*** (meaning *al-Muzdalifah*) **is a place for standing."** Related by Muslim.

٧٦٤ ــ وَعَــنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لَمَّا جَاءَ إِلَى مَكَّةَ دَخَلَهَا مِنْ أَعْلاَهَا ، وَخَرَجَ مِنْ أَسْفَلِهَا». مُتَّفَقٌ عَلَيْهِ .

764. 'Â'ishah (RAA) narrated, 'When the Messenger of Allâh ﷺ came to Makkah, he entered from its higher side (a place now called *al-Mu'allâ gate*) and went out from its lower side (now called *Kudâ*).' Agreed upon.

227- The pilgrim is not literary asked to stand at *'Arafah* on that day,but just to be physically and mentally present there, whether he is asleep, awake, riding, lying down etc.

٧٦٥ ــ وَعَــنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - :«أَنَّهُ كَانَ لاَ يَقْدُمُ مَكَّةَ إِلاَّ بَاتَ بِــذِي طُوَى حَتَّى يُصْبِحَ وَيَغْتَسِلَ ، وَيَذْكُرُ ذَلِكَ عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ». مُتَّفَقٌ عَلَيْهِ .

765. Whenever Ibn 'Umar (RAA) came to Makkah he would spend the night at *Dhî Tuwâ* valley (near Makkah), and in the morning he would bathe. 'Ibn 'Umar used to say that this is what the Messenger of Allâh ﷺ, used to do.' Agreed upon.

٧٦٦ ــ وَعَــنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - : «أَنَّهُ كَانَ يُقَبِّلُ الْحَجَرَ الأَسْوَدَ وَيَسْجُدُ عَلَيْهِ». رَوَاهُ الْحَاكِمُ مَرْفُوعًا ، وَالْبَيْهَقِيُّ مَوْقُوفًا .

766. Ibn 'Abbâs (RAA) narrated that he used to kiss the Black Stone and prostrate himself on it. Related by Al-Hâkim and Al-Baihaqî.[228]

٧٦٧ ــ وَعَــنْهُ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «أَمَرَهُمُ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنْ يَرْمُلُوا ثَلاَثَةَ أَشْوَاطٍ ، وَيَمْشُوا أَرْبَعًا ، مَا بَيْنَ الرُّكْنَيْنِ». مُتَّفَقٌ عَلَيْهِ .

767. Ibn 'Abbâs (RAA) narrated that the Messenger of Allâh ﷺ, commanded them to trot for three circuits and walk (with a normal pace) for four circuits, between the two corners (The Black Stone and the Yemeni corner). Agreed upon.

٧٦٨ ــ وَعَنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - : «أَنَّهُ كَانَ إِذَا طَافَ بِالْبَيْتِ الطَّوَافَ الأَوَّلَ خَبَّ ثَلاَثًا ، وَمَشَى أَرْبَعًا» .

وَفِي رِوَايَةٍ : «رَأَيْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِذَا طَافَ فِي الْحَجِّ أَوِ الْعُمْرَةِ أَوَّلَ مَا يَقْدُمُ فَإِنَّهُ يَسْعَى ثَلاَثَةَ أَطْوَافٍ بِالْبَيْتِ وَيَمْشِي أَرْبَعَةً». مُتَّفَقٌ عَلَيْهِ .

768. Ibn 'Umar (RAA) narrated that whenever he made *Tawâf* round the *Ka'bah*, he would trot during the first three circuits

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228- This hadîth is reported to be weak, as it is reported with a weak chain of narrators. It has only been confirmed that the Messenger of Allâh ﷺ placed his hands on the Black Stone and kissed it, not that he prostrated on it. The hadîth of 'Umar (no. 770) proves this.

and walk the remaining four.

In another version, 'I saw the Messenger of Allâh ﷺ, when he made _Tawâf_, whether on _Hajj_ or *'Umrah,* that he would trot for the first three circuits (of _Tawâf_) and walk for the remaining four.' Agreed upon.

٧٦٩ ــ وَعَنْهُ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : «لَمْ أَرَ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَسْتَلِمُ مِنَ الْبَيْتِ غَيْرَ الرُّكْنَيْنِ الْيَمَانِيَّيْنِ». رَوَاهُ مُسْلِمٌ .

769. Ibn 'Umar (RAA) narrated, 'I never saw the Prophet ﷺ touch (place his hands on) any other part of the *Ka'bah* except the two corners: The Black Stone and the Yemeni corner.' Related by Muslim.

٧٧٠ ــ وَعَنْ عُمَرَ أَنَّهُ قَبَّلَ الْحَجَرَ وَقَالَ : «إِنِّي أَعْلَمُ أَنَّكَ حَجَرٌ لاَ تَضُرُّ ، وَلاَ تَنْفَعُ وَلَوْلاَ أَنِّي رَأَيْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يُقَبِّلُكَ مَا قَبَّلْتُكَ». مُتَّفَقٌ عَلَيْهِ .

770. 'Umar (RAA) narrated that he kissed the Black Stone and said, 'I know that you are a stone and can neither benefit anyone nor harm anyone. Had I not seen Allâh's Messenger ﷺ kissing you, I would not have kissed you.' Agreed upon.

٧٧١ ــ وَعَنْ أَبِي الطُّفَيْلِ قَالَ : «رَأَيْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَطُوفُ بِالْبَيْتِ ، وَيَسْتَلِمُ الرُّكْنَ بِمِحْجَنٍ مَعَهُ ، وَيُقَبِّلُ الْمِحْجَنَ». رَوَاهُ مُسْلِمٌ .

771. Abû At-Tufail (RAA) narrated, 'I saw Allâh's Messenger ﷺ making _Tawâf_ round the *Ka'bah*, and he was touching the corner (of the Black Stone) with a stick that he had with him and then kissing the stick.' Related by Muslim.

٧٧٢ ــ وَعَنْ يَعْلَى بْنِ أُمَيَّةَ قَالَ : «طَافَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ مُضْطَبِعًا بِبُرْدٍ أَخْضَرَ». رَوَاهُ الْخَمْسَةُ إِلاَّ النَّسَائِيَّ ، وَصَحَّحَهُ التِّرْمِذِيُّ .

772. Ya'lî bin Umaiyah (RAA) narrated, 'The Messenger of Allâh ﷺ made the _Tawâf_ while wearing a green Yemeni mantle, bringing it up from under his right armpit while covering the left shoulder.' Related by the five Imâms except for An-Nasâ'î. At-Tirmidhî graded it as _Sahîh_.

٧٧٣ ــ وَعَــنْ أَنَــسٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «كَانَ يُهِلُّ مِنَّا الْمُهِلُّ فَلاَ يُنْكَرُ عَلَيْهِ ، وَيُكَبِّرُ مِنَّا الْمُكَبِّرُ فَلاَ يُنْكَرُ عَلَيْهِ». مُتَّفَقٌ عَلَيْهِ .

773. Anas (RAA) narrated, 'When we assumed *Ihrâm* (for *Hajj* or *'Umrah*) some of us raised their voices with *Talbiyah* and nobody objected to that, and others raised their voices with *Takbîr* and no one objected to that (which means that saying *Allâhu Akbar* 'Allâh is the Greatest', or reciting the *Talbiyah* are both acceptable during *Ihrâm*).' Agreed upon.

٧٧٤ ــ وَعَنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : «بَعَثَنِي النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فِي الثَّقَلِ ، أَوْ قَالَ فِي الضَّعَفَةِ مِنْ جَمْعٍ بِلَيْلٍ». مُتَّفَقٌ عَلَيْهِ .

774. Ibn 'Abbâs (RAA) narrated, 'The Messenger of Allâh ﷺ sent me at night from *al-Muzdalifah* (to *Minâ*) with the weak members of his family (women and children).'[229] Agreed upon.

٧٧٥ ــ وَعَــنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «اسْتَأْذَنَتْ سَوْدَةُ رَسُولَ اللَّهِ صَــلَّى اللَّــهُ عَلَيْهِ وَسَلَّمَ لَيْلَةَ الْمُزْدَلِفَةِ أَنْ تَدْفَعَ قَبْلَهُ ، وَكَانَتْ ثَبِطَةً - تَعْنِي ثَقِيلَةً - فَأَذِنَ لَهَا». مُتَّفَقٌ عَلَيْهِ .

775. 'Â'ishah (RAA) narrated, 'Saudah(the wife of the Prophet ﷺ) asked his permission, on the night of *al-Muzdalifah*, to leave earlier (to *Minâ*) as she was a heavy and slow woman.' The Prophet ﷺ gave her permission.' Agreed upon.

٧٧٦ ــ وَعَنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ لَنَا رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَــيْهِ وَسَلَّمَ : «لاَ تَرْمُوا الْجَمْرَةَ حَتَّى تَطْلُعَ الشَّمْسُ». رَوَاهُ الْخَمْسَةُ إِلاَّ النَّسَائِيَّ ، وَفِيهِ انْقِطَاعٌ .

776. Ibn 'Abbâs (RAA) narrated, 'The Messenger of Allâh ﷺ said to us, **"Do not throw the pebbles at *Jamrah al-'Aqabah***

229- It is *Sunnah* to spend the night at *Muzdalifah* and start going to *Minâ* after *Fajr*. This narration however, indicates that it is permissible for the women and children (the weak members on the journey) to leave to *Minâ* at night.

**until sunrise."** Related by the five Imâms except An-Nasâ'î, but with a disconnected chain of narrators.

٧٧٧ ـــ وَعَـــنْ عَائِشَـــةَ – رَضِيَ اللَّهُ عَنْهَا – قَالَتْ : «أَرْسَلَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ بِـــأُمِّ سَلَمَةَ لَيْلَةَ النَّحْرِ ، فَرَمَتِ الْجَمْرَةَ قَبْلَ الْفَجْرِ ؛ ثُمَّ مَضَتْ فَأَفَاضَتْ». رَوَاهُ أَبُو دَاوُدَ ، وَإِسْنَادُهُ عَلَى شَرْطِ مُسْلِمٍ .

777. 'Â'ishah (RAA) narrated, 'The Prophet ﷺ sent Umm Salamah on the night of the 10th (before the day of the Sacrifice) and she threw her pebbles before dawn, after which she returned to Makkah to perform *Tawâf*.' Related by Abû Dawûd.

٧٧٨ ـــ وَعَـــنْ عُرْوَةَ بْنِ مُضَرِّسٍ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّـــهُ عَلَـــيْهِ وَسَلَّمَ : «مَنْ شَهِدَ صَلاَتَنَا هَذِهِ – يَعْنِي بِالْمُزْدَلِفَةِ – فَوَقَفَ مَعَنَا حَتَّى نَدْفَـــعَ ، وَقَـــدْ وَقَفَ بِعَرَفَةَ قَبْلَ ذَلِكَ لَيْلاً أَوْ نَهَارًا ، فَقَدْ تَمَّ حَجُّهُ ، وَقَضَى تَفَثَهُ». رَوَاهُ الْخَمْسَةُ ، وَصَحَّحَهُ التِّرْمِذِيُّ ، وَابْنُ خُزَيْمَةَ .

778. 'Urwah bin Mudarras (RAA) narrated that the Messenger of Allâh ﷺ said, **"Anyone who offered this prayer** –at *al-Muzdalifah*- **along with us, and waited with us until we returned to *Minâ*, and he stayed at *'Arâfât*** (on the 9th) **before that by night or day, he would have completed the prescribed duties of *Hajj*."** Related by the five Imâms. At-Tirmidhî and Ibn Khuzaimah graded it as *Sahîh*.

٧٧٩ ـــ وَعَـــنْ عُمَرَ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : «إِنَّ الْمُشْرِكِينَ كَانُوا لاَ يُفِيضُونَ حَـــتَّى تَطْلُـــعَ الشَّـــمْسُ ، وَيَقُولُونَ : أَشْرِقْ ثَبِيرُ ، وَإِنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ خَالَفَهُمْ ، فَأَفَاضَ قَبْلَ أَنْ تَطْلُعَ الشَّمْسُ». رَوَاهُ الْبُخَارِيُّ .

779. 'Umar (RAA) narrated, 'The pagans did not use to depart from *Muzdalifah* until the sun had risen, and they would say, 'Let the sun shine on *Thabîr* (the highest mountain in Makkah). The Messenger of Allâh ﷺ contradicted them and departed from *Muzdalifah* before sunrise.' Related by Al-Bukhârî.

٧٨٠ ــ وَعَنِ ابْنِ عَبَّاسٍ وَأُسَامَةَ بْنِ زَيْدٍ - رَضِيَ اللَّهُ عَنْهُمْ - قَالاَ : «لَمْ يَزَلِ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يُلَبِّي حَتَّى رَمَى جَمْرَةَ الْعَقَبَةِ». رَوَاهُ الْبُخَارِيُّ .

780. Ibn ´Abbâs and Usâmah bin Zaid (RAA) narrated, 'The Messenger of Allâh ﷺ kept on reciting *Talbiyah* until he threw the pebbles at *Jamrat-ul ´Aqabah..'* Related by Al-Bukhârî.

٧٨١ ــ وَعَـنْ عَبْدِ اللَّهِ بْنِ مَسْعُودٍ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - أَنَّهُ جَعَلَ الْبَيْتَ عَنْ يَسَارِهِ ، وَمِنًى عَنْ يَمِينِهِ ، وَرَمَى الْجَمْرَةَ بِسَبْعِ حَصَيَاتٍ ، وَقَالَ : هَذَا مَقَامُ الَّذِي أُنْزِلَتْ عَلَيْهِ سُورَةُ الْبَقَرَةِ». مُتَّفَقٌ عَلَيْهِ .

781. ´Abdullâh bin Mas´ûd (RAA) narrated that he kept the *Ka´bah* on his left and *Minâ* on his right and threw the seven pebbles of *Jamrat-ul ´Aqabah.* He then said, 'This is the location where the one on whom *sûrah al-Baqarah* (*sûrah no. 2*) was revealed[230] (i.e. the Messenger of Allâh ﷺ).' Agreed upon.

٧٨٢ ــ وَعَـنْ جَابِرٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «رَمَى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ الْجَمْرَةَ يَوْمَ النَّحْرِ ضُحًى ، وَأَمَّا بَعْدَ ذَلِكَ فَإِذَا زَالَتِ الشَّمْسُ». رَوَاهُ مُسْلِمٌ .

782. Jâbir bin ´Abdullâh (RAA) narrated, 'The Messenger of Allâh ﷺ threw *Jamrat-ul ´Aqabah* on the Day of Sacrifice (the 9th of *Dhul Hijjah*) in the forenoon. On the following days he threw them when the sun had passed its meridian.' Related by Muslim.

٧٨٣ ــ وَعَـنِ ابْـنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - : «أَنَّهُ كَانَ يَرْمِي الْجَمْرَةَ الدُّنْيَا بِسَبْعِ حَصَيَاتٍ ، يُكَبِّرُ عَلَى أَثَرِ كُلِّ حَصَاةٍ ، ثُمَّ يَتَقَدَّمُ ، ثُمَّ يُسْهِلُ ، فَيَقُومُ فَيَسْتَقْبِلُ الْقِـبْلَةَ ، ثُمَّ يَدْعُو وَيَرْفَعُ يَدَيْهِ وَيَقُومُ طَوِيلاً ، ثُمَّ الْوُسْطَى ، ثُمَّ يَأْخُذُ ذَاتَ الشِّمَالِ فَيُسْهِلُ ، وَيَقُومُ مُسْتَقْبِلَ الْقِبْلَةِ ، ثُمَّ يَدْعُو فَيَرْفَعُ يَدَيْهِ وَيَقُومُ طَوِيلاً ، ثُمَّ يَرْمِي جَمْرَةَ ذَاتِ الْعَقَـبَةِ مِنْ بَطْنِ الْوَادِي وَلاَ يَقِفُ عِنْدَهَا ، ثُمَّ يَنْصَرِفُ ، فَيَقُولُ : هَكَذَا رَأَيْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَفْعَلُهُ». رَوَاهُ الْبُخَارِيُّ .

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230- He is referring to the place where the Messenger of Allâh ﷺ stood to throw the pebbles.

783. Ibn 'Umar (RAA) narrated that he used to throw the pebbles of *al-Jamrat ud-Duniyâ* (the *Jamrah* near to the *Khaif* mosque) with seven small pebbles, and would recite *Takbîr* when throwing each pebble. Then he would go ahead until he reached the bottom of the valley, where he would stand for quite a long time facing the direction of the *Qiblah*, and raising his hands, while supplicating Allâh. Then he went and threw seven pebbles at the second *Jamrah* (*al-Jamarah al-Wosṯâ*) while saying *Allâhu Akbar* with each throw. He would then turn to the left of the bottom of the valley, stand there facing the *Qiblah* and supplicating to Allâh with his hands raised. Then he went to *Jamrat-ul 'Aqabah,* threw seven pebbles at it, uttering the *Takbîr* with each throw. After that he left and did not pause. He would then say, 'I saw the Prophet ﷺ doing like this.' Related by Al-Bukhârî.

٧٨٤ ـ وَعَنْهُ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ: «اللَّهُمَّ ارْحَمِ الْمُحَلِّقِينَ» قَالُوا: وَالْمُقَصِّرِينَ يَا رَسُولَ اللَّهِ، قَالَ فِي الثَّالِثَةِ: «وَالْمُقَصِّرِينَ». مُتَّفَقٌ عَلَيْهِ.

784. Ibn 'Umar (RAA) narrated that the Messenger of Allâh ﷺ said, **"May Allâh bless those who shaved."** The Companions asked him, 'O Allâh's Messenger, what about those who cut their hair short?' They repeated their question twice (and each time he repeated his saying, 'May Allâh bless those who shaved.'[231])On the third time, the Messenger of Allâh ﷺ then said,**"And (may Allâh bless) those who cut their hair short."** Agreed upon.

٧٨٥ ـ وَعَنْ عَبْدِ اللَّهِ بْنِ عَمْرِو بْنِ الْعَاصِ - رَضِيَ اللَّهُ عَنْهُمَا - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَقَفَ فِي حَجَّةِ الْوَدَاعِ، فَجَعَلُوا يَسْأَلُونَهُ، فَقَالَ رَجُلٌ: لَمْ أَشْعُرْ، فَحَلَقْتُ قَبْلَ أَنْ أَذْبَحَ، قَالَ: «اذْبَحْ وَلاَ حَرَجَ»، وَجَاءَ آخَرُ، فَقَالَ: لَمْ

231- In one version of this hadîth, the Messenger of Allâh ﷺ made a supplication for those who shaved three times, and in the fourth he supplicated Allâh for those who cut their hair short. In another version he supplicated for those who shaved twice, and the third time he supplicated Allâh for those who cut their hair short.

أَشْعُرْ ، فَنَحَرْتُ قَبْلَ أَنْ أَرْمِيَ ، قَالَ : «ارْمِ وَلاَ حَرَجَ» ، فَمَا سُئِلَ يَوْمَئِذٍ عَنْ شَيْءٍ قُدِّمَ وَلاَ أُخِّرَ إِلاَّ قَالَ : «افْعلْ وَلاَ حَرَجَ». مُتَّفَقٌ عَلَيْهِ .

785. ´Abdullâh Ibn ´Amro bin al-´Âs (RAA) narrated that the Messenger of Allâh ﷺ stood in *Minâ* during the Farewell *Hajj*, while the people asked him questions and he answered them. A man asked, 'O Prophet of Allâh! I was not alert and I shaved my head before slaughtering my animal?' The Prophet ﷺ said,**"There is no harm, go and slaughter your animal."** Another man asked, 'I slaughtered the animal before I threw the pebbles?' Prophet ﷺ said, **"There is no harm, go and throw your pebbles."** The narrator said:"Whoever asked the Prophet ﷺ about anything done before or after the other he told him **"No harm done. Go and do (whatever you missed)."** Agreed upon.

٧٨٦ ــ وَعَنِ الْمِسْوَرِ بْنِ مَخْرَمَةَ – رَضِيَ اللَّهُ عَنْهُ – : «أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ نَحَرَ قَبْلَ أَنْ يَحْلِقَ ، وَأَمَرَ أَصْحَابَهُ بِذَلِكَ». رَوَاهُ الْبُخَارِيُّ .

786. Al-Maisûr bin Makhramah (RAA) narrated, 'The Messenger of Allâh ﷺ sacrificed his animal before he shaved and commanded his companions to do so.' Related by Al-Bukhârî.

٧٨٧ ــ وَعَنْ عَائِشَةَ – رَضِيَ اللَّهُ عَنْهَا – قَالَتْ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا رَمَيْتُمْ وَحَلَقْتُمْ فَقَدْ حَلَّ لَكُمُ الطِّيبُ ، وَكُلُّ شَيْءٍ إِلاَّ النِّسَاءَ». رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَفِي إِسْنَادِهِ ضَعْفٌ .

787. ´Â'ishah (RAA) narrated, 'The Messenger of Allâh ﷺ said, **"When one of you threw the pebbles and shaved his hair, everything including perfume becomes lawful for him except women** (i.e. sexual intercourse)." Related by Ahmad and Abû Dawûd with a weak chain of narrators.

٧٨٨ ــ وَعَنِ ابْنِ عَبَّاسٍ – رَضِيَ اللَّهُ عَنْهُمَا – أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لَيْسَ عَلَى النِّسَاءِ حَلْقٌ ، وَإِنَّمَا يُقَصِّرْنَ». رَوَاهُ أَبُو دَاوُدَ بِإِسْنَادٍ حَسَنٍ .

788. Ibn ´Abbâs (RAA) narrated that the Messenger of Allâh

ﷺ said, **"Women (pilgrims) so not have to shave** (their heads); **they may only shorten their hair."**Related by Abû Dawûd with a good chain of narrators.

٧٨٩ ــ وَعَــنِ ابْــنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - : «أَنَّ الْعَبَّاسَ بْنَ عَبْدِ الْمُطَّلِبِ اسْــتَأْذَنَ رَسُــولَ اللَّــهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنْ يَبِيتَ بِمَكَّةَ لَيَالِيَ مِنًى ، مِنْ أَجْلِ سِقَايَتِهِ ، فَأَذِنَ لَهُ». مُتَّفَقٌ عَلَيْهِ .

789. Ibn ´Umar (RAA) narrated that 'Al-´Abbâs bin ´Abdul Muttalib asked permission from the Prophet ﷺ to stay at Makkah during the nights of *Minâ* in order to provide drinking water (from *Zamzam*) to the pilgrims, and the Prophet ﷺ allowed him.' Agreed upon.

٧٩٠ ــ وَعَنْ عَاصِمِ بْنِ عَدِيٍّ : «أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ رَخَّصَ لِرِعَاءِ الإِبِــلِ فِــي الْبَيْتُوتَةِ يَرْمُونَ يَوْمَ النَّحْرِ ، ثُمَّ يَرْمُونَ الْغَدَ وَمِنْ بَعْدِ الْغَدِ لِيَوْمَيْنِ ، ثُمَّ يَرْمُونَ يَوْمَ النَّفْرِ». رَوَاهُ الْخَمْسَةُ ، وَصَحَّحَهُ التِّرْمِذِيُّ ، وَابْنُ حِبَّانَ .

790. ´Âsim bin ´Adî (RAA) narrated that the Messenger of Allâh ﷺ excused the herdsmen of camels from sleeping at *Minâ* and asked them to throw pebbles on the day of sacrifice (i.e. throw *Jamrat-ul ´Aqabah* and they do not have to spend the night at *Minâ*), and then to throw the pebbles of the next day and the day after (i.e. of the 11th and the 12th) combined (on the 12th), and then throw pebbles again on the 13th.' Related by the five Imâms. At-Tirmidhî and Ibn Hibbân graded it as *Sahîh.*

٧٩١ ــ وَعَــنْ أَبِي بَكْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «خَطَبَنَا رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَوْمَ النَّحْرِ» الْحَدِيثَ . مُتَّفَقٌ عَلَيْهِ .

791. Abû Bakrah (RAA) narrated that the Messenger of Allâh ﷺ delivered a sermon to us on the Day of *Nahr* (sacrifice) (and the narrator mentioned the sermon.).' Agreed upon.

٧٩٢ ــ وَعَــنْ سَــرَّاءَ بِنْتِ نَبْهَانَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : خَطَبَنَا رَسُولُ اللَّهِ صَــلَّى اللَّــهُ عَلَــيْهِ وَسَلَّمَ يَوْمَ الرُّؤُسِ فَقَالَ : «أَلَيْسَ هَذَا أَوْسَطَ أَيَّامِ التَّشْرِيقِ ؟» الْحَدِيثَ . رواه أبو دَاوُدَ بِإِسْنَادٍ حَسَنٍ .

792. Sarrâ' bint Nabhân[232] (RAA) narrated, 'The Messenger of Allâh ﷺ delivered a sermon to us on the second day of sacrifice, '*Yaum ar-Ru'ûs*' (11th of *Dhul -Hijjah*) and said, **"Is this not the middle of the days of *Tashrîq*?"** [233] Related by Abû Dawûd.

٧٩٣ ــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ لَهَا : «طَوَافُكِ بِالْبَيْتِ وَسَعْيُكِ بَيْنَ الصَّفَا وَالْمَرْوَةِ يَكْفِيكِ لِحَجِّكِ وَعُمْرَتِكِ».رَوَاهُ مُسْلِمٌ

793. 'Â'ishah (RAA) narrated, 'The Messenger of Allâh ﷺ said to her, **"Your *Tawâf* by the *Ka'bah* and your *Sa'î* between *Safâ* and *Marwah* is sufficient for both your *Hajj and 'Umrah*** (i.e. one *Tawâf* and one *Sa'î* are sufficient as she combined *Hajj* and *'Umrah*.)' Related by Muslim.

٧٩٤ ــ وَعَنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لَمْ يَرْمُلْ فِي السَّبْعِ الَّذِي أَفَاضَ فِيهِ». رَوَاهُ الْخَمْسَةُ إِلاَّ التِّرْمِذِيَّ ، وَصَحَّحَهُ الْحَاكِمُ .

794. Ibn 'Abbâs (RAA) narrated that the Messenger of Allâh ﷺ did not trot during the seven circuits made in the final *Tawâf* when he returned to Makkah.' Related by the five Imâms except at-Tirmidhî. Al-Hâkim graded it as *Sahîh*.

٧٩٥ ــ وَعَــنْ أَنَسٍ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ صَلَّى الظُّهْرَ وَالْعَصْرَ وَالْمَغْرِبَ وَالْعِشَاءَ ، ثُمَّ رَقَدَ رَقْدَةً بِالْمُحَصَّبِ ، ثُمَّ رَكِبَ إِلَى الْبَيْتِ فَطَافَ بِهِ». رَوَاهُ الْبُخَارِيُّ .

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232- She was mistress of a temple in pre-Islâmic days.
233- The days of *Tashrîq* are 11th, 12th, and 13th of *Dhul Hijjah*, but probably the Prophet ﷺ means that it is the best of its days, or maybe the middle counting the day of sacrifice with them, as '*Yaum ar-Ru'ûs*' is by conesnsus the 11th.

795. Anas (RAA), narrated, 'The Messenger of Allâh ﷺ rested for a while at *al-Muhassab* (a valley opening at *al-Abtah* between Makkah and *Minâ*) prayed *Dhuhr, 'Asr, Maghrib and 'Ishâ'* prayers after which he rode to the *Ka'bah* and made *Tawâf*.' Related by Al-Bukhârî.

٧٩٦ ــ وَعَنْ عَائِشَةَ – رَضِيَ اللَّهُ عَنْهَا – : «أَنَّهَا لَمْ تَكُنْ تَفْعَلُ ذَلِكَ – أَيِ النُّزُولَ بِالإِبْطَحِ – وَتَقُولُ : إِنَّمَا نَزَلَهُ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لأَنَّهُ كَانَ مَنْزِلاً أَسْمَحَ لِخُرُوجِهِ». رَوَاهُ مُسْلِمٌ .

796. 'Â'ishah (RAA) narrated that she did not use to do that – i.e. rest at *al-Muhassab*- and said, 'The Messenger of Allâh ﷺ rested at *al-Muhassab*, because it was easier to stop there and depart from (i.e. it is not a *Sunnah* to rest there'). Related by Muslim.

٧٩٧ ــ وَعَنِ ابْنِ عَبَّاسٍ – رَضِيَ اللَّهُ عَنْهُمَا – قَالَ : «أُمِرَ النَّاسُ أَن يَكُونَ آخِرَ عَهْدِهِمْ بِالْبَيْتِ ، إِلاَّ أَنَّهُ خُفِّفَ عَنِ الْحَائِضِ». مُتَّفَقٌ عَلَيْهِ .

797. Ibn 'Abbâs (RAA) narrated, 'People were commanded to make the *Tawâf* round the *Ka'bah* their last rite;(Farewell *Tawâf*) but the menstruating women were excused from it.' Agreed upon.

٧٩٨ ــ وَعَنِ ابْنِ الزُّبَيْرِ – رَضِيَ اللَّهُ عَنْهُمَا – قَالَ : قَالَ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «صَلاَةٌ فِي مَسْجِدِي هَذَا أَفْضَلُ مِنْ أَلْفِ صَلاَةٍ فِيمَا سِوَاهُ إِلاَّ الْمَسْجِدَ الْحَرَامَ ، وَصَلاَةٌ فِي الْمَسْجِدِ الْحَرَامِ أَفْضَلُ مِنْ صَلاَةٍ فِي مَسْجِدِي هَذَا بِمِائَةِ صَلاَةٍ». رَوَاهُ أَحْمَدُ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

798. Ibn Az-Zubair (RAA) narrated that the Messenger of Allâh ﷺ said, **"Offering prayer in my mosque** (in Madînah) **is better than one thousand prayers elsewhere, save for those offered prayer in *al-Masjid al-Harâm*** (in Makkah). **And prayer offered in *al-Masjid al-Harâm* is better than prayer offered in my mosque by one hundred prayers."** Related by Ahmad and Ibn Hibbân graded it as *Sahîh*.

## بَـــابُ الْفَـــوَاتِ وَالإِحْصَـــارِ

## *Chapter VI : Missing the Pilgrimage or being detained (Ih-sâr)*

٧٩٩ ـــ عَنِ ابْنِ عَبَّاسٍ – رَضِيَ اللَّهُ عَنْهُمَا – قَالَ : «أُحْصِرَ رَسُولُ اللّهِ صَلّى اللّهُ عَلَيْهِ وَسَلَّمَ ، فَحَلَقَ رَأْسَهُ ، وَجَامَعَ نِسَاءَهُ ، وَنَحَرَ هَدْيَهُ ، حَتَّى اعْتَمَرَ عَامًا قَابِلاً». رَوَاهُ الْبُخَارِيُّ .

799. Ibn 'Abbâs (RAA) narrated, 'When the Prophet ﷺ was prevented from performing *'Umrah* (by Quraish) he shaved his head, had intercourse with his wives and slaughtered his animal. The next year he performed *'Umrah* to make up for the year that he had missed.' Related by Al-Bukhârî.

٨٠٠ ـــ وَعَنْ عَائِشَةَ – رَضِيَ اللَّهُ عَنْهَا – قَالَتْ : دَخَلَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَلَى ضُبَاعَةَ بِنْتِ الزُّبَيْرِ بْنِ عَبْدِ الْمُطَّلِبِ ، فَقَالَتْ : يَا رَسُولَ اللّهِ ، إِنِّي أُرِيدُ الْحَجَّ ، وَأَنَا شَاكِيَةٌ ، فَقَالَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «حُجِّي وَاشْتَرِطِي أَنَّ مَحِلِّي حَيْثُ حَبَسْتَنِي». مُتَّفَقٌ عَلَيْهِ .

800. 'Â'ishah (RAA) narrated, 'The Messenger of Allâh ﷺ went to visit Dubâ'ah bint Az-Zubair bin 'Abdul Muttalib. She said to him, 'O Messenger of Allâh I have made the intention to perform *Hajj* but I am suffering from an illness.' He said to her, **"Perform *Hajj* but set a condition that you shall be relieved of the *Ihrâm* whenever you are prevented** (due to illness, etc..)**."[234] Agreed upon.**

٨٠١ ـــ وَعَنْ عِكْرِمَةَ عَنِ الْحَجَّاجِ بْنِ عَمْرٍو الأَنْصَارِيِّ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : قَالَ رَسُولُ اللّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ كُسِرَ ، أَوْ عَرِجَ ، فَقَدْ حَلَّ وَعَلَيْهِ الْحَجُّ

234- This indicates that a *muhrim* can preset a condition that if he is prevented from performing *Hajj* or *'Umrah* then he is relieved from his *Ihrâm* whenever he is prevented.

مِـــنْ قَابِلٍ» قَالَ عِكْرِمَةُ : فَسَأَلْتُ ابْنَ عَبَّاسٍ وَأَبَا هُرَيْرَةَ عَنْ ذَلِكَ ، فَقَالاَ : صَدَقَ .
رَوَاهُ الْخَمْسَةُ ، وَحَسَّنَهُ التِّرْمِذِيُّ .

801. 'Ikrimah narrated on the authority of Al-Hajjâj bin 'Amro al-Ansârî (RAA), that the Messenger of Allâh ﷺ said, **"If anyone breaks (a leg) or becomes lame** (while he was performing *Hajj* or *'Umrah*) **he is released from him *Ihrâm* and must perform *Hajj* the next year.'** 'Ikrimah said, 'I asked Ibn 'Abbâs and Abû Hurairah about this statement of Al-Hajjâj, and they said that he had spoken the truth. Related by the five Imâms. At-Tirmidhî graded it as *Hasan*.

# كِتَــابُ الْبُيُــوعِ

# Book VII: Business Transactions

## بَــابُ شُرُوطِــهِ، وَمَــا نُهِــيَ عَنْهُ

## *Chapter I: Conditions of Business Transactions and Those which are Forbidden*

٨٠٢ ــ عَــنْ رِفَاعَةَ بْنِ رَافِعٍ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ - سُـئِلَ : أَيُّ الْكَسْـبِ أَطْيَـبُ ؟ قَالَ : «عَمَلُ الرَّجُلِ بِيَدِهِ ، وَكُلُّ بَيْعٍ مَبْرُورٍ». رَوَاهُ الْبَزَّارُ ، وَصَحَّحَهُ الْحَاكِمُ .

802. Rifâ´ah bin Râfi´ (RAA) narrated that the Messenger of Allâh ﷺ was asked, 'Which type of earning is the best?' He said, **"A man's earning through working with his own hands, and every business transaction which is approved** (which is *Halâl* and free of cheating etc...).' Related by Al-Bazzâr and al-Hâkim graded it as *Sahîh*

٨٠٣ ــ وَعَــنْ جَابِرِ بْنِ عَبْدِ اللَّهِ - رَضِيَ اللَّهُ عَنْهُمَا - أَنَّهُ سَمِعَ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ عَامَ الْفَتْحِ ، وَهُوَ بِمَكَّةَ : «إِنَّ اللَّهَ حَرَّمَ بَيْعَ الْخَمْرِ ، وَالْمَيْتَةِ ، وَالْخِنْزِيرِ ، وَالإِصْنَامِ» فَقِيلَ : يَا رَسُولَ اللَّهِ ، أَرَأَيْتَ شُحُومَ الْمَيْتَةِ ، فَإِنَّهَا تُطْلَى بِهَا السُّـفُنُ ، وَتُدْهَنُ بِهَا الْجُلُودُ ، وَيَسْتَصْبِحُ بِهَا النَّاسُ ؟ فَقَالَ : «لاَ ، هُوَ حَرَامٌ» ثُمَّ قَــالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عِنْدَ ذَلِكَ : «قَاتَلَ اللَّهُ الْيَهُودَ ، إِنَّ اللَّهَ تَعَالَى لَمَّا حَرَّمَ عَلَيْهِمْ شُحُومَهَا جَمَلُوهُ ، ثُمَّ بَاعُوهُ فَأَكَلُوا ثَمَنَهُ». مُتَّفَقٌ عَلَيْهِ .

803. Jâbir bin ´Abdullâh (RAA) narrated, 'He heard the Messenger of Allâh ﷺ say in the year of the Conquest (of Makkah) while he was in Makkah, **"Allâh has prohibited the sale of alcohol, dead animals, pigs, and idols."** People asked, 'O Messenger of Allâh! What about the fat of dead animals, it is used for

greasing boats and skins and people use it for making oil for lamps.' He said, **'No, it is *Harâm*.''** The Messenger of Allâh ﷺ then added, **"May Allâh curse the Jews, for Allâh made the fat** (of animals) ***Harâm*** **(unlawful) for them, yet they melted the fat, sold it and ate its price."** Agreed upon.

٨٠٤ ــ وَعَنْ ابْنِ مَسْعُودٍ - رَضِيَ اللهُ تَعَالَى عَنْهُ - قَالَ : سَمِعْتُ رَسُولَ اللهِ صَلَّى اللَّــهُ عَلَيْهِ وَسَلَّمَ يَقُولُ : «إِذَا اخْتَلَفَ الْمُتَبَايِعَانِ وَلَيْسَ بَيْنَهُمَا بَيِّنَةٌ ، فَالقَوْلُ مَا يَقُولُ رَبُّ السِّلْعَةِ أَوْ يَتَتَارَكَانِ» رَوَاهُ الْخَمْسَةُ وَصَحَّحَهُ الْحَاكِمُ .

804. Ibn Mas´ûd (RAA) narrated, 'I heard the Messenger of Allâh ﷺ say, **"When two business dealers dispute** (over a business dealing) **and none of them has evidence to prove his case, the final word is left to the seller or they may both abandon the deal."** Related by the five Imâms and al-Hâkim graded it as *Sahîh*

٨٠٥ ــ وَعَــنْ أَبِي مَسْعُودٍ الأَنْصَارِيِّ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ رَسُولَ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ نَهَى عَنْ ثَمَنِ الْكَلْبِ ، وَمَهْرِ الْبَغِيِّ ، وَحُلْوَانِ الْكَاهِنِ». مُتَّفَقٌ عَلَيْهِ .

805. Abû Mas´ûd al-Ansârî (RAA) narrated, 'The Messenger of Allâh ﷺ prohibited taking the price of a dog, the earnings of a prostitute and the fees taken by a soothsayer.' Agreed upon.

٨٠٦ ــ وَعَنْ جَابِرِ بْنِ عَبْدِ اللهِ أَنَّهُ كَانَ عَلَى جَمَلٍ لَهُ قَدْ أَعْيَى ، فَأَرَادَ أَنْ يُسَيِّبَهُ ، قَالَ : فَلَحِقَنِي النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، فَدَعَا لِي ، وَضَرَبَهُ ، فَسَارَ سَيْرًا لَمْ يَسِرْ مِثْلَهُ ، فَقَالَ : «بِعْنِيهِ بِأُوقِيَّةٍ» قُلْتُ : لاَ . ثُمَّ قَالَ : «بِعْنِيهِ» فَبِعْتُهُ بِأُوقِيَّةٍ ، وَاشْتَرَطْتُ حُمْلاَنَهُ إِلَى أَهْلِي ، فَلَمَّا بَلَغْتُ أَتَيْتُهُ بِالْجَمَلِ ، فَنَقَدَنِي ثَمَنَهُ ، ثُمَّ رَجَعْتُ فَأَرْسَلَ فِي أَثَــرِي ، فَقَــالَ : «أَتُرَانِي مَاكَسْتُكَ لآخُذَ جَمَلَكَ ؟ خُذْ جَمَلَكَ وَدَرَاهِمَكَ ، فَهُوَ لَكَ». مُتَّفَقٌ عَلَيْهِ ، وَهَذَا السِّيَاقُ لِمُسْلِمٍ .

806. Jâbir bin ´Abdullâh (RAA) narrated, 'That he was once traveling on his camel which had become so slow that he intended to get rid of it. The Prophet ﷺ passed by (after Jâbir told him the

story), and poked the camel with his stick, and asked Jâbir to ride it again. The camel was much faster than it had ever been before. The Messenger of Allâh ﷺ then said to Jâbir, **"Sell it to me for one *Uqiyah*(ounce) of gold."** Jâbir said, 'No.' He again said, **"Sell it to me for one *Uqiyah* of gold".** Jâbir says, 'I sold it for one *Uqiyah* and stipulated that I should ride it to my house.' When we reached(Madînah) I took that camel to the Prophet ﷺ and he gave me its price. I returned home but he sent for me (and when I went to him) he said, **"Do you think that I asked you to reduce the price to take your camel? Take your camel and your money it is all yours."** Agreed upon and this is Muslim's version.

٨٠٧ ــ وَعَــنْهُ قَالَ : «أَعْتَقَ رَجُلٌ مِنَّا عَبْدًا لَهُ عَنْ دُبُرٍ ، وَلَمْ يَكُنْ لَهُ مَالٌ غَيْرُهُ ، فَدَعَا بِهِ النَّبِيُّ صَلَّى اللّٰهُ عَلَيْهِ وَسَلَّمَ فَبَاعَهُ». مُتَّفَقٌ عَلَيْهِ .

807. Jâbir (RAA) narrated, 'A man decided that a slave of his would be free after his death, but the man had no other property. The Messenger of Allâh ﷺ took the slave and called (the people) for one to buy him (from the Prophet ﷺ), and he sold him.'[235] Agreed upon.

٨٠٨ ــ وَعَــنْ مَيْمُونَةَ زَوْجِ النَّبِيِّ صَلَّى اللّٰهُ عَلَيْهِ وَسَلَّمَ أَنَّ فَأْرَةً وَقَعَتْ فِي سَمْنٍ ، فَمَاتَــتْ فِيهِ ، فَسُئِلَ النَّبِيُّ صَلَّى اللّٰهُ عَلَيْهِ وَسَلَّمَ عَنْهَا ، فَقَالَ : «أَلْقُوهَا وَمَا حَوْلَهَا وَكُلُوهُ». رَوَاهُ الْبُخَارِيُّ ، وَزَادَ أَحْمَدُ ، وَالنَّسَائِيُّ : «فِي سَمْنٍ جَامِدٍ».

808. Maimûnah (the wife of the Prophet ﷺ) (RAA) narrated that the Messenger of Allâh ﷺ was asked about a mouse that fell into a pot of clarified butter, and died inside it. He said, **"Take out (the mouse) and what is around it, and throw it away. Then eat (the rest of) your clarified butter."** Related by Al-Bukhârî. Ahmad and an-Nasâ'î added the following, 'in solid clarified butter'.

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235- In the narration of Al-Bukhârî, Nu'aim bin 'Abdullâh bought him and paid 800 Dirhams. Scholars say that this Hadîth is evidence that the ruler can sell the property of a man who is bankrupt and divide the money among his debtors or give it to him to spend (as in this Hadîth).

٨٠٩ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا وَقَعَتِ الْفَأْرَةُ فِي السَّمْنِ ، فَإِنْ كَانَ جَامِدًا فَأَلْقُوهَا وَمَا حَوْلَهَا ، وَإِنْ كَانَ مَائِعًا ، فَلاَ تَقْرَبُوهُ». رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَقَدْ حَكَمَ عَلَيْهِ الْبُخَارِيُّ ، وَأَبُو حَاتِمٍ بِالْوَهْمِ .

809. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"If a mouse fell into a pot of clarified butter, and the butter is solid, take it** (the mouse) **and what is around it out and throw it away. But if the butter was melted** (i.e. in a liquid state) **do not touch it** (i.e. throw it all away)." Related by Ahmad and Abû Dawûd. Al-Bukhârî and Abû Hâtim ruled it to be weak.

٨١٠ ــ وَعَنْ أَبِي الزُّبَيْرِ قَالَ : «سَأَلْتُ جَابِرًا - رَضِيَ اللَّهُ عَنْهُ - عَنْ ثَمَنِ السِّنَّوْرِ وَالْكَلْبِ فَقَالَ : زَجَرَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَنْ ذَلِكَ». رَوَاهُ مُسْلِمٌ ، وَالنَّسَائِيُّ ، وَزَادَ : «إِلاَّ كَلْبَ صَيْدٍ».

810. Abû Az-Zubair (RAA) narrated, 'I asked Jâbir about the price of cats and dogs.' He answered me, 'The Messenger of Allâh ﷺ rebuked that.' Related by Muslim. In a version by An-Nasâ'î, he added, "Except that of a hunting dog."[236]

٨١١ ــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : جَاءَتْنِي بَرِيرَةُ ، فَقَالَتْ : إِنِّي كَاتَبْتُ أَهْلِي عَلَى تِسْعِ أَوَاقٍ ، فِي كُلِّ عَامٍ أُوقِيَّةٌ ، فَأَعِينِينِي ، فَقُلْتُ : إِنْ أَحَبَّ أَهْلُكِ أَنْ أَعُدَّهَا لَهُمْ وَيَكُونَ وَلاَؤُكِ لِي فَعَلْتُ ، فَذَهَبَتْ بَرِيرَةُ إِلَى أَهْلِهَا ، فَقَالَتْ لَهُمْ ، فَأَبَوْا عَلَيْهَا فَجَاءَتْ مِنْ عِنْدِهِمْ ، وَرَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ جَالِسٌ فَقَالَتْ : إِنِّي قَدْ عَرَضْتُ ذَلِكَ عَلَيْهِمْ فَأَبَوْا إِلاَّ أَنْ يَكُونَ الْوَلاَءُ لَهُمْ ، فَسَمِعَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، فَأَخْبَرَتْ عَائِشَةُ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، فَقَالَ : «خُذِيهَا

236- There is a consensus among the scholars about the price of the dog except the one used for hunting or guarding. They differed over the price of a cat, but they agreed to selling it if it is used for a certain benefit.

وَاشْـتَرِطِي لَهُـمُ الْـوَلاَءَ ، فَإِنَّمَا الْوَلاَءُ لِمَنْ أَعْتَقَ» ، فَفَعَلَتْ عَائِشَةُ – رَضِيَ اللَّهُ عَـنْهَا – ، ثُـمَّ قَامَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فِي النَّاسِ ، فَحَمِدَ اللَّهَ وَأَثْنَى عَلَيْهِ ، ثُمَّ قَالَ : «أَمَّا بَعْدُ ، فَمَا بَالُ رِجَالٍ يَشْتَرِطُونَ شُرُوطًا لَيْسَتْ فِي كِتَابِ اللَّهِ – تَعَـالَى – ؟ مَـا كَانَ مِنْ شَرْطٍ لَيْسَ فِي كِتَابِ اللَّهِ فَهُوَ بَاطِلٌ ، وَإِنْ كَانَ مِائَةَ شَرْطٍ ، قَضَاءُ اللَّهِ أَحَقُّ ، وَشَرْطُ اللَّهِ أَوْثَقُ ، وَإِنَّمَا الْوَلاَءُ لِمَنْ أَعْتَقَ». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِلْبُخَارِيِّ .

وَعِنْدَ مُسْلِمٍ قَالَ: «اشْتَرِيهَا وَأَعْتِقِيهَا وَاشْتَرِطِي لَهُمُ الْوَلاَءَ».

811. ´Â'ishah (RAA) narrated, 'Barîrah came to me and said, 'I have made an agreement with my masters to pay them nine *Uqiyas* (ounces, of gold) (in installments) one *Uqiyah* per year, so please help me (to pay the money).' ´Â'ishah replied, 'I am ready to pay the whole amount now provided your masters agree that your *Walâ'*[237] will be for me.' Barîrah went back to her masters and told them about that offer but they refused to accept it. She returned, and at that time, the Messenger of Allâh ﷺ was present (at ´Â'ishah's house). Barîrah said to ´Â'ishah, "I told them about the offer but they did not accept it and insisted on having the *Walâ'* for themselves.' The Prophet ﷺ heard that, and ´Â'ishah narrated the whole story to him. He then said to her, **"Buy her and stipulate that the *Walâ'* should be yours, as *Walâ'* is (legally) for the manumitter."** ´Â'ishah (RAA) did so and the Messenger of Allâh ﷺ stood up in front of the people, and after glorifying and praising Allâh, he said, **"What about the people who impose conditions which are not in Allâh's Book** (i.e. contradictory to Islâmic *Sharî´ah*)? **"Every condition that is not found in the Book of Allâh is invalid, even if its number is one hundred. Allâh's decisions are the right ones and His conditions are the firmer ones, and the *Walâ'* is for the manumitter."** Agreed upon and the wording is from Al-Bukhârî.

In Muslim's version, **"Buy her and manumit her, and stipulate that her *Walâ'* loyalty is yours."**

237- *Walâ'* refers to the right of inheriting the property of a manumitted slave after his death. The one who has the most right to inherit from him is the one who manumitted him.

٨١٢ ــ وَعَــنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : «نَهَى عُمَرُ عَنْ بَيْعِ أُمَّهَاتِ الأَوْلاَدِ فَقَالَ : لاَ تُبَاعُ ، وَلاَ تُوهَبُ ، وَلاَ تُورَثُ ، يَسْتَمْتِعُ بِهَا مَا بَدَا لَهُ ، فَإِذَا مَاتَ فَهِيَ حُرَّةٌ». رَوَاهُ مَالِكٌ ، وَالْبَيْهَقِيُّ ، وَقَالَ : رَفَعَهُ بَعْضُ الرُّوَاةِ ، فَوَهِمَ .

812. Ibn 'Umar (RAA) narrated, ''Umar (RAA) prohibited selling the mothers of children[238] and said, 'She is not to be sold, given as a gift, or inherited, but her owner is to enjoy her (in sexual intercourse) as long as he lives. When he dies she becomes free.' Related by Mâlik and Al-Baihaqî.

٨١٣ ــ وَعَنْ جَابِرٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «كُنَّا نَبِيعُ سَرَارِيَنَا أُمَّهَاتِ الأَوْلاَدِ ، وَالنَّــبِيُّ صَــلَّى اللَّــهُ عَلَــيْهِ وَسَــلَّمَ حَيٌّ ، لاَ يَرَى بِذَلِكَ بَأْسًا». رَوَاهُ النَّسَائِيُّ ، وَابْنُ مَاجَهْ ، وَالدَّارَقُطْنِيُّ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

813. Jâbir (RAA) narrated, 'We used to sell our slave women who are mothers of children, during the lifetime of the Prophet ﷺ, and he did not object to it.'[239] Related by An-Nasâ'î, Ibn Mâjah ad-Dâraqutnî and Ibn Hibbân graded it as *Sahîh*.

٨١٤ ــ وَعَــنْ جَابِرِ بْنِ عَبْدِاللَّهِ قَالَ : «نَهَى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَنْ بَيْعِ فَضْلِ الْمَاءِ» رَوَاهُ مُسْلِمٌ ، وَزَادَ فِي رِوَايَةٍ : «وَعَنْ بَيْعِ ضِرَابِ الْجَمَلِ».

814. Jâbir (RAA) narrated that the Messenger of Allâh ﷺ prohibited the sale of excess water.'[240] Related by Muslim. In ano-

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238- The mother of a child is the female slave who gave birth to a child, whose father is her Master. The child is consequently free, and she is not to be sold after that.

239- *Imâm as-San'ânî in 'Subul as-Salâm'* says, that it is only 'Umar who prohibited her being sold, and it is not a consensus among the companions that she is not to be sold.

240- This narration refers to any water in excess of one's needs whether found in land which is not owned by anybody, or in someone's land, whether in a well or otherwise, as no one should prohibit others from using water which is in excess of his own need, as the Prophet ﷺ said that people are partners in water, grass and fire.

ther narration, 'and hiring a camel to copulate with a she-camel (i.e. no money should be paid for copulation).

٨١٥ ــ وَعَـنْ ابْنِ عُمَرَ - رَضِيَ اللهُ عَنْهُمَا - قَالَ : «نَهَى رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ عَنْ عَسْبِ الْفَحْلِ». رَوَاهُ الْبُخَارِيُّ .

815. Ibn 'Umar narrated, 'The Messenger of Allâh ﷺ prohibited taking fees for the copulation of an animal.' Related by Al-Bukhârî.

٨١٦ ــ وَعَـنْهُ أَنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ : «نَهَى عَنْ بَيْعِ حَبَلِ الْحَبَلَةِ ، وَكَـانَ بَيْعًا يَتَبَاعُهُ أَهْلُ الْجَاهِلِيَّةِ ؛ كَانَ الرَّجُلُ يَبْتَاعُ الْجَزُورَ إِلَى أَنْ تُنْتَجَ النَّاقَةُ ثُمَّ تُنْتَجَ الَّتِي فِي بَطْنِهَا». مُتَّفَقٌ عَلَيْهِ .

816. Ibn 'Umar (RAA) narrated 'The Messenger of Allâh ﷺ prohibited the sale called '*Habal al-Habalah*,' which was a kind of dealing practice in Pre-Islâmic times(*Jâhiliyah*). A man would pay the price of a she-camel which was not yet born, but would be born by the immediate offspring of an existing she-camel.(i.e. would be the offspring of a she-camel which was still in her mother's womb)' Agreed upon, and the wording is from Al-Bukhârî.

٨١٧ ــ وَعَنْهُ - رَضِيَ اللهُ عَنْهُ - : «أَنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ نَهَى عَنْ بَيْعِ الْوَلَاءِ ، وَعَنْ هِبَتِهِ». مُتَّفَقٌ عَلَيْهِ .

817. Ibn 'Umar (RAA) narrated, 'The Messenger of Allâh ﷺ prohibited selling or donating the *Walâ'* of a freed slave.' Agreed upon.

٨١٨ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللهُ عَنْهُ - قَالَ : «نَهَى رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ عَنْ بَيْعِ الْحَصَاةِ ، وَعَنْ بَيْعِ الْغَرَرِ». رَوَاهُ مُسْلِمٌ .

818. Abû Hurairah (RAA) narrated, 'The Messenger of Allâh ﷺ prohibited *Bai'u al-Hasâh*[241] (trading of a pebble), and *Bai'u*

241- A type of sale practiced in pre-Islâmic periods, by which the seller throws a pebble, and sells the goods or the piece of land etc.. on which the pebble falls with a certain price agreed upon previously.

*al-gharar.*"[242] Related by Muslim.

٨١٩ ــ وَعَنْهُ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «مَنِ اشْتَرَى طَعَامًا فَلاَ يَبِعْهُ حَتَّى يَكْتَالَهُ». رَوَاهُ مُسْلِمٌ .

819. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"If anyone buys food (grain or otherwise) he should not resell it, until he receives it** (i.e. in his hand )." Related by Muslim.

٨٢٠ ــ وَعَنْهُ قَالَ : «نَهَى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَنْ بَيْعَتَيْنِ فِي بَيْعَةٍ». رَوَاهُ أَحْمَدُ ، وَالنَّسَائِيُّ ، وَصَحَّحَهُ التِّرْمِذِيُّ ، وَابْنُ حِبَّانَ .

820. Abû Hurairah (RAA) narrated, 'The Messenger of Allâh ﷺ prohibited the double sale[243](two transactions combined in one)' Related by Ahmad and An-Nasâ'î. At-Tirmidhî and Ibn Hibbân graded it as *Sahîh*.

٨٢١ ــ وَلأَبِي دَاوُدَ : «مَنْ بَاعَ بَيْعَتَيْنِ فِي بَيْعَةٍ فَلَهُ أَوْكَسُهُمَا ، أَوِ الرِّبَا».

821. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"Whoever sells a double sale in one, will have the worst of them or** (it is as if he involved himself in) ***Ribâ*** (usury)." Related by Abû Dawûd.

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242- Sale involving risk or chance, i.e. the sale of what is not present at the moment.

243- Scholars disagreed on what is meant by a double sale in this hadîth. Some say that it is selling commodities with two prices, one immediate and another higher, which is deferred to a later time, the second included an increase for the delayed selling of a commodity over its immediate price. But most scholars refuted this opinion claiming that it is a legitimate form of sale that existed in authentic texts (selling by installlment). The second form is selling with two prices, one immediate and another higher, deferred and uncertain. The seller tells him, 'It is for such and such amount of cash and for such and such amount of delayed payment and they depart while being uncertain without having determined anything. This form is prohibited. Some scholars say that one of its forms is to make a double deal, one says I sell you my horse on the condition that you sell me your slave.

٨٢٢ ــ وَعَنْ عَمْرِو بْنِ شُعَيْبٍ عَنْ أَبِيهِ عَنْ جَدِّهِ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ يَحِلُّ سَلَفٌ وَبَيْعٌ ، وَلاَ شَرْطَانِ فِي بَيْعٍ ، وَلاَ رِبْحُ مَا لَمْ يَضْمَنْ ، وَلاَ بَيْعُ مَا لَيْسَ عِنْدَكَ». رَوَاهُ الْخَمْسَةُ ، وَصَحَّحَهُ التِّرْمِذِيُّ ، وَابْنُ خُزَيْمَةَ ، وَالْحَاكِمُ . وَأَخْرَجَهُ فِي عُلُومِ الْحَدِيثِ مِنْ رِوَايَةِ أَبِي حَنِيفَةَ عَنْ عَمْرٍو الْمَذْكُورِ بِلَفْظِ : «نَهَى عَنْ بَيْعٍ وَشَرْطٍ». وَمِنْ هَذَا الْوَجْهِ أَخْرَجَهُ الطَّبَرَانِيُّ فِي الأَوْسَطِ ، وَهُوَ غَرِيبٌ .

822. ´Amro bin Shu´aib narrated on his father's authority who reported from his grandfather (RAA) that the Messenger of Allâh ﷺ said,"**It is prohibited to have a loan combined with a sale** (in one deal),[244] **or having two conditions in a sale, or claiming a profit on something which is not in your possession.[245] There is no selling what is not in your possession.'** Related by the five Imâms. At-Tirmidhî, Ibn Khuzaimah and al-Hâkim graded it as *Sahîh*.

٨٢٣ ــ وَعَنْهُ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «نَهَى رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَنْ بَيْعِ الْعُرْبَانِ». رَوَاهُ مَالِكٌ ، قَالَ : «بَلَغَنِي عَنْ عَمْرِو بْنِ شُعَيْبٍ بِهِ».

823. ´Amro bin Shu´aib narrated on his father's authority who reported from his grandfather (RAA) that 'The Messenger of Allâh ﷺ prohibited *Bai´u al-´Urbân* (paying nonrefundable deposits).'[246] Related by Mâlik.

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244- The seller stipulates that the buyer gives him a loan to sell him the goods, or that the buyer borrows the money from the seller as a condition to buy his commodity.

245- As long as the goods are still in the possession of the seller, the profit belongs to him until the transaction is complete. So he is the one who gains any profit or bears any loss. The buyer cannot claim any profit until he possesses the goods.

246- It is a form of prohibited sales in which a nonrefundable deposit is paid towards the price of an item. If the buyer decides to keep it, the deposit is part of the price, but if he does not, then the seller keeps the deposit.

٨٢٤ ـــ وَعَـــنِ ابْـــنِ عُمَرَ – رَضِيَ اللَّهُ عَنْهُمَا – قَالَ : «ابْتَعْتُ زَيْتًا فِي السُّوقِ ، فَلَمَّـــا اسْتَوْجَبْتُهُ لَقِيَنِي رَجُلٌ فَأَعْطَانِي بِهِ رِبْحًا حَسَنًا ، فَأَرَدْتُ أَنْ أَضْرِبَ عَلَى يَدِ الرَّجُلِ ، فَأَخَذَ رَجُلٌ مِنْ خَلْفِي بِذِرَاعِي ، فَالْتَفَتُّ ، فَإِذَا هُوَ زَيْدُ بْنُ ثَابِتٍ ، فَقَالَ : لاَ تَبِعْهُ حَيْثُ ابْتَعْتَهُ حَتَّى تَحُوزَهُ إِلَى رَحْلِكَ ، فَإِنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ نَهَى أَنْ تُبَاعَ السِّلَعُ حَيْثُ تُبْتَاعُ ، حَتَّى يَحُوزَهَا التُّجَّارُ إِلَى رِحَالِهِمْ». رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَاللَّفْظُ لَهُ ، وَصَحَّحَهُ ابْنُ حِبَّانَ ، وَالْحَاكِمُ .

824. Ibn 'Umar (RAA) narrated, 'I bought some oil from the market and when I came to take it, I met a man who offered me a good profit (i.e. wanted to buy it from me). When I was about to accept the deal, a man caught hold of my arm from behind. I turned around to find that the man was Zaid bin Thâbit.' He said to me, 'Do not sell it where you have bought it from, (but wait) till it is in your possession, as the Messenger of Allâh ﷺ prohibited that goods are sold, until the trader takes possession of them.' [247] Related by Ahmad and Abû Dawûd and the wording is his. Ibn Hibbân and al-Hâkim graded it as *Sahîh.*

٨٢٥ ـــ وَعَـــنْهُ – رَضِـــيَ اللَّهُ عَنْهُ – قَالَ : قُلْتُ : يَا رَسُولَ اللَّهِ ، إِنِّي أَبِيعُ الإِبِلَ بِالْبَقِـــيعِ ، فَأَبِيعُ بِالدَّنَانِيرِ وَآخُذُ الدَّرَاهِمَ ، وَأَبِيعُ بِالدَّرَاهِمِ وَآخُذُ الدَّنَانِيرَ ، آخُذُ هَذَا مِنْ هَذِهِ وَأُعْطِي هَذِهِ مِنْ هَذَا ، فَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لا بَأْسَ أَنْ تَأْخُذَهَا بِسِعْرِ يَوْمِهَا مَا لَمْ تَفْتَرِقَا وَبَيْنَكُمَا شَيْءٌ». رَوَاهُ الخَمْسَةُ ، وَصَحَّحَهُ الْحَاكِمُ.

825. Ibn 'Umar narrated, 'I said to the Messenger of Allâh ﷺ, 'I sell camels at the market of *Baqî'*. So, I would sell for gold (i.e. make the deal with the price set in gold or Dînârs), and take silver (Dirhams) for them, or sell for silver (Dirhams) and take gold for them. I would take these for these and give these for these.' The Prophet ﷺ told me, **"There is no objection if the price you use is the current price (the day of making the deal) and as**

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247- The expression that Zaid used is until the traders take it back to their residence, but what he really means is until they have it in their possession whether it has to be transported or taken in hand etc.

**long as you part having settled all the deal."** Related by the five Imâms. Al-Hâkim graded it as Sahîh.

٨٢٦ ــ وَعَنْهُ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : «نَهَى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَنِ النَّجْشِ». مُتَّفَقٌ عَلَيْهِ .

826. Ibn 'Umar narrated, 'The Messenger of Allâh ﷺ prohibited '*Najsh*'[248] (Bidding up merchandise).' Agreed upon.

٨٢٧ ــ وَعَنْ جَابِرٍ – رَضِيَ اللَّهُ عَنْهُ – : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ نَهَى عَنِ الْمُحَاقَلَةِ ، وَالْمُزَابَنَةِ ، وَالْمُخَابَرَةِ ، وَعَنِ الثُّنْيَا ، إِلاَّ أَنْ تُعْلَمَ». رَوَاهُ الْخَمْسَةُ إِلاَّ ابْنَ مَاجَهْ ، وَصَحَّحَهُ التِّرْمِذِيُّ .

827. Jâbir bin 'Abdullâh narrated, 'The Messenger of Allâh ﷺ prohibited ***Muhâqalah***[249], ***Muzâbanah***[250], ***Mukhâbarah***[251], ***Thuniâ***[252], unless it is explicit.' Related by the five Imâms except for Ibn Mâjah. At-Tirmidhî graded it as Sahîh.

٨٢٨ ــ وَعَــنْ أَنَسٍ قَالَ : «نَهَى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَنِ الْمُحَاقَلَةِ ، وَالْمُخَاضَرَةِ ، وَالْمُلاَمَسَةِ ، وَالْمُنَابَذَةِ ، وَالْمُزَابَنَةِ». رَوَاهُ الْبُخَارِيُّ .

828. Anas (RAA) narrated that the Messenger of Allâh ﷺ

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248- It is prohibited to bid up the price of a piece of merchandise that one is not interested in buying but he is only doing so to deceive another bidder, who would believe that it is worth that price.

249- It means selling grain while they are still in their husk. But Jâbir (the narrator) explained it as selling a sown field for a hundred *Firq* (16 pounds or 12 Mudd) of wheat.

250- There are various forms of this sale such as selling grapes for raisins by measure or selling dates while they are still on the palm trees, for dried dates and so on.

251- Renting land for some of its crops.

252- To sell something while excluding part of it, unless the exception is explicit, such as selling a number of trees and excluding one. If this particular tree is identified, then it is permissible or else it is prohibited.

prohibited *Muhâqalah, Mukhâdarah*[253], *Mulâmasah*[254], *Munâbadhah*[255], and *Muzâbanah*. Related by Al-Bukhârî.

٨٢٩ ـــ وَعَـــنْ طَاوسٍ عَنْ ابْنِ عَبَّاسٍ – رَضِيَ اللَّهُ عَنْهُمَا – قَالَ : قَالَ رَسُولُ اللَّه صَـــلَّى اللَّـــهُ عَلَـــيْهِ وَسَـــلَّمَ : «لاَ تَلَقَّـــوا الرُّكْبَانَ ، وَلاَ يَبِعْ حَاضِرٌ لِبَادٍ» ، قُلْتُ لابْـــنِ عَـــبَّاسٍ : مَـــا قَوْلُهُ : «وَلاَ يَبِعْ حَاضِرٌ لِبَادٍ؟» قَالَ : لاَ يَكُونُ لَهُ سِمْسَارًا . مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِلْبُخَارِيِّ .

829. Tâwûs narrated on the authority of Ibn 'Abbâs, that the Messenger of Allâh ﷺ said, **"Do not go out to meet caravans** (on the way to make deals with them) **and no townsman is permitted to sell things on behalf of a man from the desert."**[256] I asked Ibn 'Abbâs, 'What did he mean by saying 'no townsman is permitted to sell on behalf of a Bedouin.?' He replied, 'He should not be a broker for him.' Agreed upon and the wording is from Al-Bukhârî'.

٨٣٠ ـــ وعن أَبِي هُرَيْرَةَ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : قَالَ رَسُولُ اللَّه صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ : «لاَ تَلَقَّوا الْجَلَبَ ، فَمَنْ تُلُقِّيَ فَاشْتُرِيَ مِنْهُ ، فَإِذَا أَتَى سَيِّدُهُ السُّوقَ فَهُوَ بِالْخِيَارِ». رَوَاهُ مُسْلِمٌ .

830. Abû Hurairah narrated that the Messenger of Allâh ﷺ said, **"Do not go out to meet what is being brought** (for the market by the riders). **If one** (of the traders) **is met, and some of his goods are sold, then when the owner arrives at the**

253- The sale of fruit or grain before they are ripe and in good condition.

254- A man selling his garment for another's man garment merely by touching it, and none of them looks at the other man's garment.

255- It means that two men cast their garments to the other to buy but without careful examination.

256- According to the majority of scholars the reason for the prohibition is the harm that affects the city dwellers from this practice, as when the Bedouin is left to sell his commodity, people will buy it at a lower price. If the city dweller sells it for him, he can only sell it at the going market rate.

**market, he has the choice** (whether to cancel the deal or accept it)."[257] Related by Muslim.

٨٣١ ـــ وَعَنْهُ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «نَهَى رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنْ يَبِيعَ حَاضِرٌ لِبَادٍ ، وَلاَ تَنَاجَشُوا ، وَلاَ يَبِيعُ الرَّجُلُ عَلَى بَيْعِ أَخِيهِ ، وَلاَ يَخْطُبُ عَلَى خِطْبَةِ أَخِيهِ ، وَلاَ تَسْأَلُ الْمَرْأَةُ طَلاَقَ أُخْتِهَا لِتَكْفَأَ مَا فِي إِنَائِهَا». مُتَّفَقٌ عَلَيْهِ ، وَلِمُسْلِمٍ : «لاَ يَسُمِ الْمُسْلِمُ عَلَى سَوْمِ الْمُسْلِمِ».

831. Abû Hurairah (RAA) narrated, 'The Messenger of Allâh ﷺ prohibited that a city dweller sells on behalf of a man from the desert, and ordered not to bid against one another, no man should outbid the selling of his brother (Muslim brother), nor propose to marry a woman whom his brother has proposed to, and no woman should ask for the divorce of her sister (in Islam) to take advantage of what is in her pot(to replace her in her life).'[258]Agreed upon. In another version by Muslim, **"A Muslim should not offer a price above that offered by another Muslim."**

٨٣٢ ـــ وَعَنْ أَبِي أَيُّوبَ الأَنْصَارِيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ : «مَنْ فَرَّقَ بَيْنَ وَالِدَةٍ وَوَلَدِهَا فَرَّقَ اللَّهُ بَيْنَهُ وَبَيْنَ أَحِبَّتِهِ يَوْمَ الْقِيَامَةِ». رَوَاهُ أَحْمَدُ ، وَصَحَّحَهُ التِّرْمِذِيُّ ، وَالْحَاكِمُ ، وَلَكِنْ فِي إِسْنَادِهِ مَقَالٌ ، وَلَهُ شَاهِدٌ .

832. Abû Aiyûb Al-Ansârî (RAA) narrated, 'I heard the Messenger of Allâh ﷺ say, **"If anyone separates a mother and her child, Allâh will separate him from his beloved ones on the Day of Resurrection."** Related by Ahmad. At-Tirmidhî and al-Hâkim graded it as *Sahîh*, but there is a weakness in its chain of narrators..

257- The seller may find that the price he was offered outside the town is less than the real price, then he has the choice to accept or cancel the deal.

258- A Muslim woman should not ask a man to divorce his wife, so that she alone would have all the privileges that the other wife had, of having a husband, being provided with all her life expenses etc.

٨٣٣ ــ وَعَنْ عَلِيِّ بْنِ أَبِي طَالِبٍ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : أَمَرَنِي رَسُولُ اللَّهِ صَلَّى اللَّـهُ عَلَيْهِ وَسَلَّمَ أَنْ أَبِيعَ غُلاَمَيْنِ أَخَوَيْنِ ، فَبِعْتُهُمَا ، فَفَرَّقْتُ بَيْنَهُمَا ، فَذَكَرْتُ ذَلِكَ لِلنَّبِيِّ صَلَّى اللَّـهُ عَلَيْهِ وَسَلَّمَ ، فَقَالَ : «أَدْرِكْهُمَا فَارْتَجِعْهُمَا ، وَلاَ تَبِعْهُمَا إِلاَّ جَمِيعًا». رَوَاهُ أَحْمَدُ ، وَرِجَالُهُ ثِقَاتٌ ، وَقَدْ صَحَّحَهُ ابْنُ خُزَيْمَةَ ، وَابْنُ الْجَارُودِ ، وَابْنُ حِبَّانَ ، وَالْحَاكِمُ ، وَالطَّبَرَانِيُّ ، وَابْنُ الْقَطَّانِ .

833. 'Alî bin Abî Tâlib (RAA) narrated, 'The Messenger of Allâh ﷺ commanded me to sell two (slaves) young brothers, so I did but I separated them (i.e. sold each to a different person). When I mentioned this to the Prophet ﷺ he said, 'Search for them and bring them back, and do not sell them except to the same person (do not separate them).' Related by Ahmad with a reliable chain of narrators. Ibn Khuzaimah, Ibn al-Gârûd, Ibn Hibbân, al-Hâkim, at-Tabarânî and Ibn al-Qattân graded it as *Sahîh*.

٨٣٤ ــ وَعَنْ أَنَسِ بْنِ مَالِكٍ قَالَ : غَلاَ السِّعْرُ فِي الْمَدِينَةِ عَلَى عَهْدِ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، فَقَالَ النَّاسُ : يَا رَسُولَ اللَّهِ ، غَلاَ السِّعْرُ ، فَسَعِّرْ لَنَا ، فَقَالَ رَسُولُ اللَّـهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِنَّ اللَّهَ هُوَ الْمُسَعِّرُ ، الْقَابِضُ ، الْبَاسِطُ ، الـرَّازِقُ ، وَإِنِّي لأَرْجُو أَنْ أَلْقَى اللَّهَ – تَعَالَى – ، وَلَيْسَ أَحَدٌ مِنْكُمْ يَطْلُبُنِي بِمَظْلَمَةٍ فِي دَمٍ وَلاَ مَالٍ». رَوَاهُ الْخَمْسَةُ إِلاَّ النَّسَائِيَّ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

834. Anas bin Mâlik (RAA) narrated, 'The prices went up in Madînah during the time of the Prophet ﷺ. People asked him' O Messenger of Allâh! The prices went up, so please fix the prices for us.' The messenger of Allâh ﷺ replied, **"Allâh is The One Who fixes the prices, He is The Restrainer, He is the one Who Gives generously, The Sublime Sustainer, and I wish to meet Allâh, the Almighty with none of you having any claim on me for any injustice regarding blood or property.'**[259]

259- This Hadîth is evidence that fixing prices by authorities is an act of injustice, unless there is a clear imbalance in the market, in which case authorities should interfere by applying fair measures especially when it is relevant to the essential provisions. Some scholars such as Mâlik said

Related by the five Imâms except for An-Nasâ'î. Ibn Hibbân graded it as Sahîh

٨٣٥ ـــ وَعَنْ مَعْمَرِ بْنِ عَبْدِ اللَّهِ - رَضِيَ اللَّهُ عَنْهُ - عَنْ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لاَ يَحْتَكِرُ إِلاَّ خَاطِيءٌ». رَوَاهُ مُسْلِمٌ .

835. Ma'mar bin 'Abdullâh (RAA) narrated that the Messenger of Allâh ﷺ said, **"No one monopolizes[260] except that he is a sinner."** Related by Muslim.

٨٣٦ ـــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لاَ تَصُرُّوا الإِبِلَ وَالْغَنَمَ فَمَنِ ابْتَاعَهَا بَعْدُ فَهُوَ بِخَيْرِ النَّظَرَيْنِ بَعْدَ أَنْ يَحْلُبَهَا ؛ إِنْ شَاءَ أَمْسَكَهَا ، وَإِنْ شَاءَ رَدَّهَا وَصَاعًا مِنْ تَمْرٍ». مُتَّفَقٌ عَلَيْهِ .
وَلِمُسْلِمٍ : «فَهُوَ بِالْخِيَارِ ثَلاَثَةَ أَيَّامٍ».
وَفِي رِوَايَةٍ لَهُ عَلَّقَهَا الْبُخَارِيُّ : «وَرَدَّ مَعَهَا صَاعًا مِنْ طَعَامٍ ، لاَ سَمْرَاءَ»، قَالَ الْبُخَارِيُّ : «وَالتَّمْرُ أَكْثَرُ».

836. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"Do not tie up the udders of camels and sheep (and leave them un-milked for a long time). Whoever buys such an animal** (unaware of what you did) **has the option after milking them, either to keep it or to return it to the owner along with one *Sâ'* of dates."** Agreed upon.
In Muslim's version, **"He has the choice for three days** (to keep them or not."
In another version by Al-Bukhârî, (*Hadîth Mu'allaq*[261]),**"He must return it along with one *Sâ'* of any grain but wheat."** Al-

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that prices should be fixed for essential provisions, while other scholars said that it is permissible to fix the prices if this is for the welfare of the people and to save them from the greed of merchants.

260- Monopolizing here refers to withholding some goods until its price goes up and then putting it out for sale.

261- That in which the reporter omits the whole Isnâd and quotes the Prophet ﷺ directly.

Bukhârî commented, 'But the narrations which say "with one *Sâ´* of dates," are more (than the other one)."

٨٣٧ ـــ وَعَنِ ابْنِ مَسْعُود – رَضِيَ اللَّهُ عَنْهُ – قَالَ : «مَنْ اشْتَرَى شَاةً مُحَفَّلَةً فَرَدَّهَا فَلْيَرُدَّ مَعَهَا صَاعًا». رَوَاهُ الْبُخَارِيُّ ، وَزَادَ الإِسْمَاعِيلِيُّ : «مِنْ تَمْرٍ».

837. Ibn Mas´ûd (RAA) narrated, 'Whoever buys a sheep whose udder had been tied up, and he decides to return it, then he should give it back with one *Sâ´*." Related by Al-Bukhârî. Al-Ismâ´îlî said, 'of dates.'

٨٣٨ ـــ وَعَـــنْ أَبِي هُرَيْرَةَ – رَضِيَ اللَّهُ عَنْهُ – أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ مَرَّ عَلَى صُبْرَةِ مِنْ طَعَامٍ ، فَأَدْخَلَ يَدَهُ فِيهَا ، فَنَالَتْ أَصَابِعُهُ بَلَلاً ، فَقَالَ : «مَا هَذَا يَا صَـــاحِبَ الطَّعَامِ ؟» قَالَ : أَصَابَتْهُ السَّمَاءُ يَا رَسُولَ اللَّهِ ، قَالَ : «أَفَلاَ جَعَلْتَهُ فَوْقَ الطَّعَامِ كَيْ يَرَاهُ النَّاسُ ؟ مَنْ غَشَّ فَلَيْسَ مِنِّي». رَوَاهُ مُسْلِمٌ .

838. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ happened to pass by a pile of food (grain), and when he inserted his hand into that pile, his fingers were moistened. He said (to the seller), **"What is this?"** The man replied, 'O Messenger of Allâh! These have been drenched by the rain.' The Messenger of Allâh ﷺ said, **"Why didn't you place this** (the damp part of the pile) **at the top of the pile, so that people could see it? He who deceives is not** (one) **of** (my followers)." Related by Muslim.

٨٣٩ ـــ وَعَـــنْ عَـــبْدِاللَّهِ بْـــنِ بُرَيْدَةَ عَنْ أَبِيهِ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ : «مَنْ حَبَسَ الْعِنَبَ أَيَّامَ الْقِطَافِ حَتَّى يَبِيعَهُ مِمَّنْ يَتَّخِذُهُ خَمْرًا فَقَدْ تَقَحَّمَ النَّارَ عَلَى بَصِيرَةٍ». رَوَاهُ الطَّبَرَانِيُّ فِي الأَوْسَطِ بِإِسْنَادٍ حَسَنٍ .

839. ´Abdullâh bin Buraidah narrated on the authority of his father, that the Messenger of Allâh ﷺ said, **"Whoever stores up grapes in their vintage season until he sells them to a wine maker, he would be putting himself into the Hellfire, while knowing the reason for being there** (i.e. he knows why he is in the Hellfire)." Related by At-Tabarânî in *'al-Awsat'*, with a good chain of narrators.

٨٤٠ — وَعَـنْ عَائِشَـةَ قَالَتْ : قَالَ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «الْخَرَاجُ بِالضَّـمَانِ». رَوَاهُ الْخَمْسَةُ ، وَضَعَّفَهُ الْبُخَارِيُّ ، وَأَبُو دَاوُدَ ، وَصَحَّحَهُ التِّرْمِذِيُّ ، وَابْنُ خُزَيْمَةَ ، وَابْنُ الْجَارُودِ ، وَابْنُ حِبَّانَ ، وَالْحَاكِمُ ، وَابْنُ الْقَطَّانِ .

840. 'Â'ishah (RAA) narrated that Allâh's Messenger ﷺ said, **"*al-Kharâj;* 'benefit or profit'** (profit of the bought item, or befitting through using it) **belongs to the buyer (the one who possesses the sold item and he holds responsibility for it)."**[262]
Related by the five Imâms, but Al-Bukhârî and Abû Dawûd graded it as weak. At-Tirmidhî, Ibn Khuzaimah, Ibn al-Gârûd, Ibn Hibbân, al-Hâkim and Ibn al-Qattân graded it as *Sahîh*.

٨٤١ — وَعَنْ عُرْوَةَ الْبَارِقِيِّ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَعْطَـاهُ دِيـنَارًا لِيَشْتَرِيَ بِهِ أُضْحِيَّةً ، أَوْ شَاةً ، فَاشْتَرَى بِهِ شَاتَيْنِ ، فَبَاعَ إِحْدَاهُمَا بِدِيـنَارٍ ، فَأَتَاهُ بِشَاةٍ وَدِينَارٍ ، فَدَعَا لَهُ بِالْبَرَكَةِ فِي بَيْعِهِ ، فَكَانَ لَوْ اشْتَرَى تُرَابًا لَرَبِحَ فِـيهِ». رَوَاهُ الْخَمْسَـةُ إِلاَّ النَّسَـائِيَّ . وَقَدْ أَخْرَجَهُ الْبُخَارِيُّ فِي ضِمْنِ حَدِيثٍ ، وَلَمْ يَسُقْ لَفْظَهُ .

841. 'Urwah al-Bâriqî (RAA) narrated, 'Allâh's Messenger ﷺ gave him a Dînâr to buy a sacrificial animal or a sheep. He bought two sheep, and sold one of them for a Dînâr. (When he returned)

262- The story of this hadîth is that two men came to the Prophet ﷺ disputing over a matter. One of them had bought a slave boy from the other. The boy stayed with the buyer for sometime, then the buyer found a fault with the slave. He wanted to return him to the original owner, who refused to take him back claiming that the buyer had employed the slave and made use of his service. The Prophet ﷺ judged that the boy should be returned to his original owner and said the above hadîth ***'al-Kharâj bid-Damân.'*** Meaning that the benefit the buyer got from the slave was in return for the expenses, which the buyer would have to pay if the sold item was damaged –after the buyer decides to cancel the deal and before he gives it back to the original owner- then it is the buyer who is responsible for its price, as it was in his possession. The hadîth then means that the benefit or profit goes to the one who holds the responsibility of the item, i.e. profit and loss goes to the buyer as it is actually in his possession.

the Prophet ﷺ invoked Allâh to bless his dealings of buying and selling. It was such that if had bought (even) dust, he would have made a profit from it.' Related by the five Imâms except for An-Nasâ'î. Al-Bukhârî reported it within another *Hadîth*.

٨٤٢ ـ وأَوْرَدَ التِّرْمِذِيُّ لَهُ شَاهِدًا مِنْ حَدِيثِ حَكِيمِ بْنِ حِزَامٍ .

842. At-Tirmidhî related a similar hadîth on the authority of Hakîm bin Hizâm.

٨٤٣ ـ وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ نَهَى عَنْ شِرَاءِ مَا فِي بُطُونِ الأَنْعَامِ حَتَّى تَضَعَ ، وَعَنْ بَيْعِ مَا فِي ضُرُوعِهَا ، وَعَنْ شِرَاءِ الْعَبْدِ وَهُوَ آبِقٌ ، وَعَنْ شِرَاءِ الْمَغَانِمِ حَتَّى تُقْسَمَ ، وَعَنْ شِرَاءِ الصَّدَقَاتِ حَتَّى تُقْبَضَ ، وَعَنْ ضَرْبَةِ الْغَائِصِ». رَوَاهُ ابْنُ مَاجَهْ ، وَالْبَزَّارُ ، وَالدَّارَقُطْنِيُّ بِإِسْنَادٍ ضَعِيفٍ .

843. Abû Sa'îd al-Khudrî (RAA) narrated, 'The Messenger of Allâh ﷺ prohibited buying what is still in the womb of the cattle until they give birth, or selling what is in their udders (until they are milked). The Prophet ﷺ also prohibited buying a runaway slave(as he is not present), and prohibited buying war booty before it is divided, or buying *Zakât* property before it is received(by their recipients) and prohibited buying the lucky stroke of a diver (without knowing what he will come out with).' Related by Ibn Mâjah, Al-Bazzâr and Ad-Dâraqutnî with a weak chain of narrators.

٨٤٤ ـ وَعَنِ ابْنِ مَسْعُودٍ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ تَشْتَرُوا السَّمَكَ فِي الْمَاءِ ، فَإِنَّهُ غَرَرٌ». رَوَاهُ أَحْمَدُ ، وَأَشَارَ إِلَى أَنَّ الصَّوَابَ وَقْفُهُ .

844. Ibn Mas'ûd (RAA) narrated that the Messenger of Allâh ﷺ said, **'Do not buy fish before they are caught, as it involves *Gharar*** (sale involving risk or a chance)." Related by Ahmad, who said that it is most probably *Hadîth Mawqûf*.

٨٤٥ ـ وَعَنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : نَهَى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنْ تُبَاعَ ثَمَرَةٌ حَتَّى تُطْعَمَ ، وَلاَ يُبَاعَ صُوفٌ عَلَى ظَهْرٍ ، وَلاَ لَبَنٌ فِي

ضَرْعٍ ، رَوَاهُ الطَّبَرَانِيُّ فِي الأَوْسَطِ ، وَالدَّارَقُطْنِيُّ .
وَأَخْرَجَهُ أَبُو دَاوُدَ فِي الْمَرَاسِيلِ لِعِكْرِمَةَ ، وَأَخْرَجَهُ أَيْضًا مَوْقُوفًا عَلَى ابْنِ عَبَّاسٍ بِإِسْنَادٍ قَوِيٍّ ، وَرَجَّحَهُ الْبَيْهَقِيُّ .

845. Ibn ʿAbbâs (RAA) narrated that the Messenger of Allâh ﷺ prohibited the sale of fruit until it is ripe, or to sell fur (of camels and goats) which have not yet been shorn, or milk which is still in the udder.' Related by At-Tabarânî in 'Al-Awsat and by ad-Dâraqutnî.

٨٤٦ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ نَهَى عَنْ بَيْعِ الْمَضَامِينِ وَالْمَلاَقِيحِ». رَوَاهُ الْبَزَّارُ ، وَفِي إِسْنَادِهِ ضَعْفٌ .

846. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ prohibited selling the womb of female cattle and the sperm in the backs of male camels.' Related by Al-Bazzâr with a weak chain of narrators.

٨٤٧ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ أَقَالَ مُسْلِمًا بَيْعَتَهُ أَقَالَ اللَّهُ عَثْرَتَهُ». رَوَاهُ أَبُو دَاوُدَ ، وَابْنُ مَاجَهْ ، وَصَحَّحَهُ ابْنُ حِبَّانَ ، وَالْحَاكِمُ .

847. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"Whoever helps in the revocation of a contract** (between two Muslims to settle their disputes), **Allâh, the Almighty will save him from slipping on the Day of Resurrection.'** Related by Abû Dawûd.

## بَابُ الْخِيَارِ

## *Chapter II: Options (al-Khiyâr) in Business Dealings*

٨٤٨ ــ وَعَنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - عَنْ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «إِذَا تَبَايَعَ الرَّجُلاَنِ ، فَكُلُّ وَاحِدٍ مِنْهُمَا بِالْخِيَارِ مَا لَمْ يَتَفَرَّقَا ، وَكَانَا جَمِيعًا ،

أَوْ يُخَيِّرْ أَحَدُهُمَا الآخَرَ ، فَإِنْ خَيَّرَ أَحَدُهُمَا الآخَرَ فَتَبَايَعَا عَلَى ذَلِكَ فَقَدْ وَجَبَ الْبَيْعُ ، وَإِنْ تَفَرَّقَا بَعْدَ أَنْ تَبَايَعَا ، وَلَمْ يَتْرُكْ وَاحِدٌ مِنْهُمَا الْبَيْعَ فَقَدْ وَجَبَ الْبَيْعُ». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِمُسْلِمٍ .

848. Ibn 'Umar (RAA) narrated that the Messenger of Allâh ﷺ said,**"The seller and the buyer have the right to go ahead** (with the deal) **or cancel it so long as they have not parted -physically- (and are still at the place transaction), or until one of them gives the other the choice** (to think over the deal for a few days even if they parted physically, or to go ahead with the deal before they part). **If one of them gives the other this option and the deal is made on this condition, then it becomes binding** (even before they part, according to the set condition)**. And if they part after they have made the bargain and none of them decided to abandon it, the agreement is also binding."** Agreed upon and the wording is from Muslim.

٨٤٩ ــ وَعَنْ عَمْرِو بْنِ شُعَيْبٍ عَنْ أَبِيهِ عَنْ جَدِّهِ - رَضِيَ اللَّهُ عَنْهُمَا - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «الْبَائِعُ وَالْمُبْتَاعُ بِالْخِيَارِ حَتَّى يَتَفَرَّقَا ، إِلاَّ أَنْ تَكُونَ صَفْقَةَ خِيَارٍ ، وَلاَ يَحِلُّ لَهُ أَنْ يُفَارِقَهُ خَشْيَةَ أَنْ يَسْتَقِيلَهُ». رَوَاهُ الْخَمْسَةُ إِلاَّ ابْنَ مَاجَهْ وَرَوَاهُ الدَّارَقُطْنِيُّ ، وَابْنُ خُزَيْمَةَ ، وَابْنُ الْجَارُودِ .

وَفِي رِوَايَةٍ : «حَتَّى يَتَفَرَّقَا عَنْ مَكَانِهِمَا».

849. 'Amro bin Shu'aib narrated on his father's authority who reported from his grandfather (RAA), that the Messenger of Allâh ﷺ said, **"The seller and the buyer have the right to go ahead** (with the deal) **or cancel it as long as they have not parted -physically- (and are still at the place of transaction), unless it is a deal of choice, whereby one of them gives the choice to the other to go ahead with the deal or to cancel it before they actually part** (i.e. on the spot). **And it is not permissible for one of them to part from his companion**(before they make the final agreement) **for he may want to cancel the deal."**[263]

263- This means that if he suddenly leaves the place of the deal, then this would make the deal final, while his companion might still want to

Related by the five Imâms except for Ibn Mâjah. Ad-Dâraqutnî. In another version, **"Until they part from their place** (of making the deal)."

٨٥٠ ــ وَعَــنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : ذَكَرَ رَجُلٌ لِرَسُولِ اللَّه صَلَّى اللَّــهُ عَلَــيْهِ وَسَــلَّمَ أَنَّهُ يُخْدَعُ فِي الْبُيُوعِ فَقَالَ : «إِذَا بَايَعْتَ فَقُلْ : لاَ خِلاَبَةَ». مُتَّفَقٌ عَلَيْه .

850. Ibn 'Umar (RAA) narrated that, 'A man told the Messenger of Allâh ﷺ that people deceive him in his deals, so the Prophet of Allâh ﷺ told him, **"When you conduct a deal, say no cheating or deceiving** (in this deal)." Agreed upon.

## بَــابُ الــرِّبَــا

## *Chapter III: Ribâ (Usury)*

٨٥١ ــ عَنْ جَابِرٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «لَعَنَ رَسُولُ اللَّه صَلَّى اللَّهُ عَلَيْه وَسَلَّمَ آكِلَ الرِّبَا ، وَمُوكِلَهُ ، وَكَاتِبَهُ ، وَشَاهِدَيْهِ ، وَقَالَ : «هُمْ سَوَاءٌ». رَوَاهُ مُسْلِمٌ.

851. Jâbir (RAA) narrated, 'The Messenger of Allâh ﷺ cursed the person who accepts usury, its payer, the one who recorded it, and the two witnesses, and he said, ﷺ, **"They are all equal** (in sin)." Related by Muslim.

٨٥٢ ــ وَلِلْبُخَارِيِّ نَحْوُهُ مِنْ حَدِيثِ أَبِي جُحَيْفَةَ .

852. Al-Bukhârî reported a similar *Hadîth* on the authority of Abû Juhaifah.

٨٥٣ ــ وَعَــنْ عَــبْدِ اللَّه بْنِ مَسْعُودٍ - رَضِيَ اللَّهُ عَنْهُ - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْه وَسَــلَّمَ قَــالَ : «الــرِّبَا ثَلاَثَةٌ وَسَبْعُونَ بَابًا ، أَيْسَرُهَا ؛ مِثْلُ أَنْ يَنْكِحَ الرَّجُلُ أُمَّهُ ،

think it over, and may wish to cancel it. So it is disliked to leave the place of the bargain until it is finalized.

وَإِنَّ أَرْبَى الرِّبَا عِرْضُ الرَّجُلِ الْمُسْلِمِ». رَوَاهُ ابْنُ مَاجَهْ مُخْتَصَرًا ، وَالْحَاكِمُ بِتَمَامِهِ ، وَصَحَّحَهُ.

853. 'Abdullâh Ibn Mas'ûd narrated that the Messenger of Allâh ﷺ said, **"There are seventy three types of *Ribâ*. The one least in sin, is that equal to the sin of a man who marries his mother, and one of the worst kinds of *Ribâ* is to violate the honor of a Muslim."** [264] Related by Ibn Mâjah in a short form and al-Hâkim in a complete one. The latter graded it as *Sahîh*..

٨٥٤ ــ وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لاَ تَبِيعُوا الذَّهَبَ بِالذَّهَبِ إِلاَّ مِثْلاً بِمِثْلٍ ، وَلاَ تُشِفُّوا بَعْضَهَا عَلَى بَعْضٍ ، وَلاَ تَبِيعُوا الْوَرِقَ بِالْوَرِقِ إِلاَّ مِثْلاً بِمِثْلٍ ، وَلاَ تُشِفُّوا بَعْضَهَا عَلَى بَعْضٍ ، وَلاَ تَبِيعُوا مِنْهَا غَائِبًا بِنَاجِزٍ». مُتَّفَقٌ عَلَيْهِ .

854. Abû Sa'îd Al-Khudrî (RAA) narrated that the Messenger of Allâh ﷺ said, **"Do not sell (exchange) gold for gold, unless they are equivalent in amount, and do not sell (exchange) a lesser amount for a greater amount (or vice versa), and do not sell silver for silver unless they are equivalent in amount, and do not sell a lesser amount for a greater amount (or vice versa). Also do not sell silver or gold that is not available at the moment of exchange, for gold or silver that is present at the time."** Agreed upon.

٨٥٥ ــ وَعَنْ عُبَادَةَ بْنِ الصَّامِتَ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «الذَّهَبُ بِالذَّهَبِ ، وَالْفِضَّةُ بِالْفِضَّةِ ، وَالْبُرُّ بِالْبُرِّ ، وَالشَّعِيرُ بِالشَّعِيرِ ، وَالتَّمْرُ بِالتَّمْرِ ، وَالْمِلْحُ بِالْمِلْحِ ، مِثْلاً بِمِثْلٍ ، سَوَاءً بِسَوَاءٍ ، يَدًا بِيَدٍ ، فَإِذَا اخْتَلَفَتْ هَذِهِ الأَصْنَافُ فَبِيعُو كَيْفَ شِئْتُمْ إِذَا كَانَ يَدًا بِيَدٍ». رَوَاهُ مُسْلِمٌ .

855. 'Ubâdah bin As-Sâmit (RAA) narrated that the Messen-

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264- No doubt the first type is worse, but the Prophet ﷺ means to show how evil it is to defame another Muslim.

ger of Allâh ﷺ said, **"Whenever gold is exchanged for gold, silver for silver, wheat for wheat, barley for barley, dates for dates, salt for salt unless they are exactly equivalent in amount and quality, and exchanged -delivered- on the spot** (i.e. the exchanged goods will be in the respective possession of both the buyer and the seller before they part, each delivering the goods to the other)**. If these types differ** (when making the deal, such as exchanging gold for silver) **then sell -and buy- as you wish** (in different amounts) **if payment is made on the spot."** Related by Muslim.

٨٥٦ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «الذَّهَبُ بِالذَّهَبِ وَزْنًا بِوَزْنٍ مِثْلاً بِمِثْلٍ ، وَالْفِضَّةُ بِالْفِضَّةِ وَزْنًا بِوَزْنٍ مِثْلاً بِمِثْلٍ ، فَمَنْ زَادَ أَوِ اسْتَزَادَ فَهُوَ رِبًا». رَوَاهُ مُسْلِمٌ .

856. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"Whenever gold is exchanged for gold, it should be equivalent in amount and quality, and whenever silver is exchanged for silver it should be equivalent in amount and quality. Whoever gives more or asks for more, this is considered *Ribâ* (usury)."** Related by Muslim.

٨٥٧ ــ وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ ، وَأَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُمَا - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ اسْتَعْمَلَ رَجُلاً عَلَى خَيْبَرَ ، فَجَاءَهُ بِتَمْرٍ جَنِيبٍ ، فَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «أَكُلُّ تَمْرِ خَيْبَرَ هَكَذَا ؟» ، فَقَالَ : لاَ ، وَاللَّهِ يَا رَسُولَ اللَّهِ ، إِنَّا لَنَأْخُذُ الصَّاعَ مِنْ هَذَا بِالصَّاعَيْنِ ، وَالصَّاعَيْنِ بِالثَّلاَثَةِ ، فَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ تَفْعَلْ ، بِعِ الْجَمْعَ بِالدَّرَاهِمِ ، ثُمَّ ابْتَعْ بِالدَّرَاهِمِ جَنِيبًا» ، وَقَالَ فِي الْمِيزَانِ مِثْلَ ذَلِكَ . مُتَّفَقٌ عَلَيْهِ ، وَلِمُسْلِمٍ : «وَكَذَلِكَ الْمِيزَانُ».

857. Abû Sa'îd al-Khudrî (RAA) narrated that the Messenger of Allâh ﷺ appointed a man as a governor of *Khaibar*, and the man brought him dates of an excellent quality. The Messenger of Allâh ﷺ asked him, **"Are all the dates in *Khaibar* of the same quality?"** The man replied, 'I swear by Allâh O Messenger of Allâh! that they certainly are not. We take one Sâ' of these dates

for two or three *Sâ´s* (of our lesser quality dates).' The Messenger of Allâh ﷺ said thereupon, **"Do not do that** (as this would be *Ribâ*). **Sell the lesser quality dates for Dirhams (money) and then buy the good quality dates with the Dirhams you received."** He also said that the same applies when things are sold by weight. Agreed upon.

٨٥٨ ـــ وَعَنْ جَابِرِ بْنِ عَبْدِاللَّهِ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ: «نَهَى رَسُولُ اللَّهِ صَلَّى اللَّـــهُ عَلَيْهِ وَسَلَّمَ عَنْ بَيْعِ الصُّبْرَةِ مِنَ التَّمْرِ الَّتِي لاَ يُعْلَمُ مَكِيلُهَا بِالْكَيْلِ الْمُسَمَّى مِنَ التَّمْرِ». رَوَاهُ مُسْلِمٌ.

858. Jâbir bin ´Abdullâh (RAA) narrated that the Messenger of Allâh ﷺ prohibited selling a quantity of dates of unknown measure, for a specific amount of dates (of known weight).' Related by Muslim.

٨٥٩ ـــ وَعَنْ مَعْمَرِ بْنِ عَبْدِاللَّهِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ: إِنِّي كُنْتُ أَسْمَعُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ: «الطَّعَامُ بِالطَّعَامِ مِثْلاً بِمِثْلٍ»، وَكَانَ طَعَامُنَا يَوْمَئِذٍ الشَّعِيرُ. رَوَاهُ مُسْلِمٌ.

859. Ma´mar bin ´Abdullâh (RAA) narrated, 'I used to hear the Messenger of Allâh ﷺ say, **"Food is to be exchanged for food in equivalent amounts."** The narrator added, 'Our food at that time was barley.' Related by Muslim.

٨٦٠ ـــ وَعَـــنْ فَضَالَةَ بْنِ عُبَيْدٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ: اشْتَرَيْتُ يَوْمَ خَيْبَرَ قِلاَدَةً بِاثْنَيْ عَشَرَ دِينَارًا، فِيهَا ذَهَبٌ وَخَرَزٌ، فَفَصَّلْتُهَا، فَوَجَدْتُ فِيهَا أَكْثَرَ مِنَ اثْنَيْ عَشَرَ دِيـــنَارًا، فَذَكَرْتُ ذَلِكَ لِلنَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ: «لاَ تُبَاعُ حَتَّى تُفَصَّلَ». رَوَاهُ مُسْلِمٌ.

860. Fadâlah bin ´Ubaid (RAA) narrated, 'I bought a necklace on the day of *Khaibar* for 12 Dînârs (of gold). It contained gold and gems, but when I distinguished each separately, I found that it contained more than 12 Dînârs worth (of gold). I mentioned this to the Prophet ﷺ he said, **"Do not sell it until its contents (gold**

**and gems)are distinguished**(and the weight of each is known)." Related by Muslim.

٨٦١ ــ وَعَــنْ سَــمُرَةَ بْنِ جُنْدَبٍ : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ نَهَى عَنْ بَيْعِ الْحَيَوَانِ بِالْحَيَوَانِ نَسِيئَةً». رَوَاهُ الْخَمْسَةُ ، وَصَحَّحَهُ التِّرْمِذِيُّ ، وَابْنُ الْجَارُودِ .

861. Samurah bin Jundub (RAA) narrated, 'The Messenger of Allâh ﷺ prohibited selling animals for animals on delayed payments.' Related by the five Imâms. At-Tirmidhî and Ibn al-Gârûd graded it as Sahîh.

٨٦٢ ــ وَعَنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَــيْهِ وَسَلَّمَ يَقُولُ : «إِذَا تَبَايَعْتُمْ بِالْعِينَةِ ، وَأَخَذْتُمْ أَذْنَابَ الْبَقَرِ ، وَرَضِيتُمْ بِالزَّرْعِ ، وَتَرَكْــتُمُ الْجِهَــادَ سَلَّطَ اللَّهُ عَلَيْكُمْ ذُلاًّ لاَ يَنْزِعُهُ حَتَّى تَرْجِعُوا إِلَى دِينِكُمْ». رَوَاهُ أَبُو دَاوُدَ مِنْ رِوَايَةِ نَافِعٍ عَنْهُ ، وَفِي إِسْنَادِهِ مَقَالٌ ، وَلأَحْمَدَ نَحْوُهُ مِنْ رِوَايَةِ عَطَاءٍ ، وَرِجَالُهُ ثِقَاتٌ ، وَصَحَّحَهُ ابْنُ الْقَطَّانِ .

862. Ibn 'Umar (RAA) narrated, 'I heard the Messenger of Allâh ﷺ say, **"When you practice *'al-înah sale,'*[265] getting hold of the tails of the cows** (i.e. getting busy with plowing and leaving *Jihâd*); **feeling content with agriculture and neglecting *Jihâd*, Allâh will bring upon you humiliation and disgrace, which He will not lift until you revert to your religion."** Related by Abû Dawûd with a weak chain of narrators. Ahmad related a similar narration on the authority of 'Atâ' with a reliable chain of narrators. Ibn al-Qattân graded it as Sahîh.

٨٦٣ ــ وَعَنْ أَبِي أُمَامَةَ - رَضِيَ اللَّهُ عَنْهُ - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «مَنْ شَفَعَ لأَخِيهِ شَفَاعَةً ، فَأَهْدَى لَهُ هَدِيَّةً ، فَقَبِلَهَا ، فَقَدْ أَتَى بَابًا عَظِيمًا مِنْ أَبْوَابِ الرِّبَا». رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَفِي إِسْنَادِهِ مَقَالٌ .

863. Abû Umâmah (RAA) narrated that the Messenger of

265- The seller sells the goods to the buyer with a delayed payment, and then repurchases it for a lower price. This is considered as a prohibited sale by the Hanafî, *Mâlikî and Hanbalî* schools due to this evidence.

Allâh ﷺ said, **"If anyone intercedes for his brother(in Islâm) and he is given a present** (in return for his favor) **and he accepts it, he is guilty of practicing a great type of *Ribâ*."** Related by Ahmad and Abû Dawûd with a weak chain of narrators.

٨٦٤ ـــ وَعَـــنْ عَـــبْدِ اللَّـــهِ بْـــنِ عَمْرِو بْنِ الْعَاصِ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : «لَعَـــنَ رَسُـــولُ اللَّـــهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ الرَّاشِيَ وَالْمُرْتَشِي». رَوَاهُ أَبُو دَاوُدَ ، وَالتِّرْمِذِيُّ وَصَحَّحَهُ .

864. 'Abdullâh bin 'Amro bin Al-'Âs (RAA) narrated that the Messenger of Allâh ﷺ cursed the one who bribes and the one who accepts the bribe.' Related by Abû Dawûd and rendered authentic by At-Tirmidhî.

٨٦٥ ـــ وَعَـــنْهُ : «أَنَّ النَّـــبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَمَرَهُ أَنْ يُجَهِّزَ جَيْشًا ، فَنَفِدَتِ الإِبِلُ ، فَأَمَرَهُ أَنْ يَأْخُذَ عَلَى قَلاَئِصِ الصَّدَقَةِ ، قَالَ : فَكُنْتُ آخُذُ الْبَعِيرَ بِالْبَعِيرَيْنِ إِلَى إِبِلِ الصَّدَقَةِ». رَوَاهُ الْحَاكِمُ ، وَالْبَيْهَقِيُّ ، وَرِجَالُهُ ثِقَاتٌ .

865. 'Abdullâh bin 'Amro bin Al-'Âs (RAA) narrated, 'The Messenger of Allâh ﷺ commanded him to prepare an army, but the camels he had were insufficient (some people remained without camels to ride). So the Messenger of Allâh ﷺ ordered him to buy camels in exchange for the young camels of *Zakâh* (which they did not have at that time). 'Abdullâh says, 'I used to exchange two of the young camels of *Zakâh* for one older camel. (When they received the young camels of *Zakâh*[266] they gave them to the people who sold them the camels).' Related by Al-Hâkim and Al-Baihaqî with a reliable chain of narrators.

٨٦٦ ـــ وَعَـــنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : «نَهَى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَـــيْهِ وَسَلَّمَ عَنِ الْمُزَابَنَةِ : أَنْ يَبِيعَ ثَمَرَ حَائِطِهِ إِنْ كَانَ نَخْلاً بِتَمْرٍ كَيْلاً ، وَإِنْ كَانَ

266- One of the channels for spending *Zakâh* money is in the way of Allâh.

كَـرْمًا أَنْ يَبِيعَهُ بِزَبِيبٍ كَيْلاً ، وَإِنْ كَانَ زَرْعًا أَنْ يَبِيعَهُ بِكَيْلِ طَعَامٍ ، نَهَى عَنْ ذَلِكَ كُلِّه». مُتَّفَقٌ عَلَيْهِ .

866. Ibn 'Umar (RAA) narrated, 'The Messenger of Allâh ﷺ prohibited *Muzâbanah*[267], which means that a man sells the fruit of his garden in any of the following forms: to sell dates that have not yet been harvested and are still on the palm trees, for fresh (or dried) dates of measured weight, to sell grapes that have not yet been harvested, for measured amounts of raisins, or standing crops for a measured quantity of grain. He prohibited all such bargains.' Agreed upon.

٨٦٧ ـــ وَعَـــنْ سَعْدِ بْنِ أَبِي وَقَّاصٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يُسْئَلُ عَنِ اشْتِرَاءِ الرُّطَبِ بِالتَّمْرِ ، فَقَالَ : «أَيَنْقُصُ الرُّطَبُ إِذَا يَبِسَ ؟» قَالُوا : نَعَمْ ، فَنَهَى عَنْ ذَلِكَ . رَوَاهُ الْخَمْسَةُ ، وَصَحَّحَهُ ابْنُ الْمَدِينِي ، وَالتِّرْمِذِيُّ ، وَابْنُ حِبَّانَ ، وَالْحَاكِمُ .

867. Sa'd bin Abî Waqqâs (RAA) narrated, 'I heard the Messenger ﷺ being asked about selling fresh dates for dried dates. He replied, **"When fresh dates are dried, do they lose weight?"** They replied, 'Yes.' So he prohibited such a deal.' Related by the five Imâms. Ibn al-Madînî, at-Tirmidhî, Ibn Hibbân and al-Hâkim graded it as *Sahîh*.

٨٦٨ ـــ وَعَـــنِ ابْـــنِ عُمَرَ : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ نَهَى عَنْ بَيْعِ الْكَالِيءِ بِالْكَالِيءِ ، يَعْنِي الدَّيْنِ بِالدَّيْنِ». رَوَاهُ إِسْحَاقُ ، وَالْبَزَّارُ بِإِسْنَادٍ ضَعِيفٍ .

868. Ibn 'Umar (RAA) narrated, 'The Messenger of Allâh ﷺ prohibited selling postponed credit for another postponed credit (i.e. a debt for a debt).' Related by Ishâq and Al-Bazzâr with a weak chain of narrators.

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267- Refer to hadîth no. 827.

## بَــابُ الرُّخْصَـةِ فِـي الْعَرَايَـا، وَبَيْـعِ الأُصُـولِ وَالثِّمَـارِ

## *Chapter IV: Concession concerning 'Arâya (Lending something for use) and the sale of Trees and fruit*

٨٦٩ ــ عَــنْ زَيْدِ بْنِ ثَابِتٍ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - : «أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ رَخَّصَ فِي الْعَرَايَا : أَنْ تُبَاعَ بِخَرْصِهَا كَيْلاً». مُتَّفَقٌ عَلَيْه .
وَلِمُسْلِمٍ : «رَخَّصَ فِي الْعَرِيَّةِ يَأْخُذُهَا أَهْلُ الْبَيْتِ بِخَرْصِهَا تَمْرًا يَأْكُلُونَهَا رُطَبًا».

869. Zaid bin Thâbit (RAA) narrated, 'The Messenger of Allâh ﷺ permitted selling the dates of *'Arâya*[268] (the palm tree lent for use) if their dates are sold for measured amounts of dried dates.' Agreed upon.
In the version of Muslim, 'He gave the license regarding the fruit of the *'Âriya* for its sale to the original owner.

٨٧٠ ــ وَعَــنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - : «أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ رَخَّصَ فِي بَيْعِ الْعَرَايَا بِخَرْصِهَا مِنَ التَّمْرِ ، فِيمَا دُونَ خَمْسَةِ أَوْسُقٍ ، أَوْ فِي خَمْسَةِ أَوْسُقٍ». مُتَّفَقٌ عَلَيْه .

870. Abû Hurairah (RAA) narrated, 'The Messenger of Allâh ﷺ gave permission for the selling of the dates of *'Arâya*, by estimating the amount of dates on the palm trees (unharvested) on the condition that their amount is less than five *Awsuq*[269] or five *Awsuq*.' Agreed upon.

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268- During times of droughts, the Arabs had the habit of lending some of their palm trees to those who had none so as to eat the fruit of those trees for a certain period of time. Sometimes the owner of the palm trees would be bothered by the frequent coming into his garden of the one the tree is lent to. So, the Prophet ﷺ gave them the permission (to the lender) to buy the dates while still unharvested (even though this is prohibited otherwise)from the man he lent it to, for an amount of weighed dried or fresh dates. So they would estimate the weight of the dates while still on the palm trees and buy them from the needy, for dried dates.

269- A *Wasaq* is equivalent to sixty *sâ'as* (a cubic measure of varying magnitude) . Five *Awsuq* is equivalent to 50 Egyptian *kaylah* (one *Kaylah* is a

٨٧١ ــ وَعَنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا - قَالَ : «نَهَى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَنْ بَيْعِ الثِّمَارِ حَتَّى يَبْدُوَ صَلاَحُهَا ، نَهَى الْبَائِعَ وَالْمُبْتَاعَ». مُتَّفَقٌ عَلَيْهِ ، وَفِي رِوَايَةٍ : وَكَانَ إِذَا سُئِلَ عَنْ صَلاَحِهَا قَالَ : «حَتَّى تَذْهَبَ عَاهَتُهَا»

871. Ibn 'Umar (RAA) narrated, 'The Messenger of Allâh ﷺ prohibited the sale of fruit until it is ripe. He prohibited the seller and the buyer.' Agreed upon. In another version, 'When he was asked about what is meant by being ripe, he would say **"Till they are safe from being affected by blight."**

٨٧٢ ــ وَعَنْ أَنَسِ بْنِ مَالِكٍ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ نَهَى عَنْ بَيْعِ الثِّمَارِ حَتَّى تُزْهِيَ ، قِيلَ : وَمَا زَهْوُهَا ؟ قَالَ : «تَحْمَارُّ وَتَصْفَارُّ». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِلْبُخَارِيِّ .

872. Anas bin Mâlik (RAA) narrated, 'The Messenger of Allâh ﷺ prohibited selling fruit until they had bloomed. When he was asked about the sign of this he said, **"Till they become red and yellow** (i.e. fit for eating).' Agreed upon and the wording is from Al-Bukhârî'.

٨٧٣ ــ وَعَنْهُ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ نَهَى عَنْ بَيْعِ الْعِنَبِ حَتَّى يَسْوَدَّ ، وَعَنْ بَيْعِ الْحَبِّ حَتَّى يَشْتَدَّ». رَوَاهُ الْخَمْسَةُ إِلاَّ النَّسَائِيَّ ، وَصَحَّحَهُ ابْنُ حِبَّانَ ، وَالْحَاكِمُ .

873. Anas bin Mâlik (RAA) narrated, 'The Messenger of Allâh ﷺ prohibited selling grapes until they become black, and the sale of grain until they become hard (i.e. till they both ripen).' Related by the five Imâms except for An-Nasâ'î. Ibn Hibbân and al-Hâkim graded it as *Sahîh*.

٨٧٤ ــ وَعَنْ جَابِرِ بْنِ عَبْدِاللَّهِ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لَوْ بِعْتَ مِنْ أَخِيكَ تَمْرًا فَأَصَابَتْهُ جَائِحَةٌ ، فَلاَ يَحِلُّ لَكَ أَنْ تَأْخُذَ مِنْهُ شَيْئًا ، بِمَ تَأْخُذُ مَالَ أَخِيكَ بِغَيْرِ حَقٍّ ؟». رَوَاهُ مُسْلِمٌ .

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dry measure for grain, 50 *Kaylah* is equivalent to 653 gm of wheat

وَفِي رِوَايَةٍ لَهُ : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَمَرَ بِوَضْعِ الْجَوَائِحِ».

874. Jâbir bin 'Abdullâh (RAA) narrated that the Messenger of Allâh ﷺ said, **"If you sell your brother dates (or fruit), and they are stricken with *Jâ'ihah*** (Calamity),[270] **it is not permissible for you to take any money from him.[271] Why should you take the wealth of your brother unjustly?"** Related by Muslim.

In another version, 'The Messenger of Allâh ﷺ commanded that the price of the fruit stricken with a Calamity, is to be remitted.'

٨٧٥ ــ وَعَنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنَّهُ قَالَ : «مَنِ ابْتَاعَ نَخْلاً بَعْدَ أَنْ تُؤَبَّرَ فَثَمَرَتُهَا لِلْبَائِعِ الَّذِي بَاعَهَا إِلاَّ أَنْ يَشْتَرِطَ الْمُبْتَاعُ». مُتَّفَقٌ عَلَيْهِ

875. 'Abdullâh Ibn 'Umar (RAA) narrated that the Messenger of Allâh ﷺ said, **"If someone buys pollinated date palms, their fruit belong to the seller unless the buyer stipulates that they will be for himself** (and the seller agrees)**."** Agreed upon.

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270- *Jâ'ihah* or Calamity could be any of the diseases or infestations which affect plants and may totally or partially destroy them. It could also be any unfortunate condition which was not caused by man, such as wind, snow, cold, lack of water etc.

271- There is a difference of opinion among the scholars over the *Jâ'ihah*. *Shâfi'î* and *Abû Hanîfah* are of the opinion that if the fruit was sold before being ripe, while it was still on the tree, then the seller is not to take any money as it is prohibited to sell fruit before it is ripe (while on the tree), but if they are sold after becoming ripe, then the seller is not to repay the buyer any of the price. *Ibn Hanbal* is of the opinion that the price of any damaged fruit is not to be claimed by the seller, and the buyer has the right to ask for a reduction in this case. Still many scholars believe that it is recommended as a moral obligation that the seller does not claim the full price, as compensation to his Muslim brother for his loss, and that is actually the implicit recommendation in this hadîth.

# أَبْـــوَابُ السَّلَـــمِ، وَالْقَـــرْضِ، وَالرَّهْـــنِ

## *Chapter V: Payment in Advance (or Salam[272]), Loan and Rahn[273] (putting up Collateral)*

٨٧٦ ــ عَــنِ ابْــنِ عَــبَّاسٍ قَالَ : قَدِمَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ الْمَدِينَةَ ، وَهُمْ يُسْــلِفُونَ فِي الثِّمَارِ السَّنَةَ وَالسَّنَتَيْنِ ، فَقَالَ : «مَنْ أَسْلَفَ فِي تَمْرٍ فَلْيُسْلِفْ فِي كَيْلٍ مَعْلُومٍ ، وَوَزْنٍ مَعْلُومٍ ، إِلَى أَجَلٍ مَعْلُومٍ». مُتَّفَقٌ عَلَيْهِ .
وَلِلْبُخَارِيِّ : «مَنْ أَسْلَفَ فِي شَيْءٍ».

876. Ibn ´Abbâs (RAA) narrated, 'When the Messenger of Allâh ﷺ came to Madînah they were paying one and two years in advance for fruit, so he said, **"Whoever pays money in advance for dates or fruit (to be delivered later) should pay for it with a known specified weight and measure** (of dates or fruit to be delivered)." Agreed upon.

٨٧٧ ــ وَعَــنْ عَــبْدِالرَّحْمَنِ بْنِ أَبْزَى وَعَبْدِاللَّهِ بْنِ أَبِي أَوْفَى - رَضِيَ اللَّهُ تَعَالَى عَــنْهُمَا - قَالاَ : «كُنَّا نُصِيبُ الْمَغَانِمَ مَعَ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، وَكَانَ يَأْتِينَا أَنْبَاطٌ مِنْ أَنْبَاطِ الشَّامِ ، فَنُسْلِفُهُمْ فِي الْحِنْطَةِ وَالشَّعِيرِ وَالزَّبِيبِ» ، وَفِي رِوَايَةٍ : «وَالزَّيْتِ إِلَى أَجَلٍ مُسَمًّى ، قِيلَ : أَكَانَ لَهُمْ زَرْعٌ ؟ قَالاَ : مَا كُنَّا نَسْأَلُهُمْ ذَلِكَ». رَوَاهُ الْبُخَارِيُّ .

877. ´Abdul Rahmân bin Abzâ and ´Abdullâh bin Abî Aufâ (RAA) narrated, 'We used to get war booty while we were with Allâh's Messenger ﷺ and when the *Nabat*[274] of Shâm came to us (to make deals)we used to pay them in advance for wheat, barley, and

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272- Buying in advance, refers to the sale of described goods or items to be delivered by the seller to the buyer at a certain time.

273- The word "*Rahn*" in Islâmic *Sharî´ah* means 'items of possessions offered as security for a debt so that the debt will be taken from these possessions in case the debtor failed to pay back the due money.

274- Arabs who mixed with the Romans so that their lineage became mixed (not pure Arabs anymore) and their Arab tongue was spoiled.

raisins (or oil in another version) to be delivered within a fixed period of time.' They were asked (by other companions), 'Did the *Nabat* own standing crops or not (at the time of the deal)?' They replied, 'We never asked them about that.' Related by Al-Bukhârî.

٨٧٨ ـــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَـــالَ : «مَنْ أَخَذَ أَمْوَالَ النَّاسِ يُرِيدُ أَدَاءَهَا أَدَّى اللَّهُ عَنْهُ ، وَمَنْ أَخَذَهَا يُرِيدُ إِتْلافَهَا أَتْلَفَهُ اللَّهُ - تَعَالَى -». رَوَاهُ الْبُخَارِيُّ .

878. Abû Hurairah (RAA) narrated, 'Whoever takes people's money (as a loan) with the intention of repaying it, Allâh will repay it on his behalf, and whoever takes it in order to squander it,[275] then Allâh will punish him.'[276] Related by Al-Bukhârî.

٨٧٩ ـــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «قُلْتُ : يَا رَسُولَ اللَّهِ ، إِنَّ فُلاَنًا قَدِمَ لَهُ بَزٌّ مِنَ الشَّامِ ، فَلَوْ بَعَثْتَ إِلَيْهِ ، فَأَخَذْتَ مِنْهُ ثَوْبَيْنِ نَسِيئَةً إِلَى مَيْسَرَةٍ ؟ فَبَعَثَ إِلَيْهِ ، فَامْتَنَعَ». أَخْرَجَهُ الْحَاكِمُ ، وَالْبَيْهَقِيُّ ، وَرِجَالُهُ ثِقَاتٌ .

879. 'Â'ishah (RAA) narrated, 'I said : 'O Messenger of Allâh ﷺ so and so has been brought material from Syria, will you send him someone to buy two garments on credit until it is easy for you to repay? So, the Messenger of Allâh ﷺ sent someone to him but he refused.' Related Al-Hâkim and Al-Baihaqî with a trustworthy chain of narrators.

٨٨٠ ـــ وَعَـــنْ أَبِـــي هُرَيْرَةَ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «الظَّهْرُ يُرْكَـــبُ بِنَفَقَتِهِ إِذَا كَانَ مَرْهُونًا ، وَلَبَنُ الدَّرِّ يُشْرَبُ بِنَفَقَتِهِ إِذَا كَانَ مَرْهُونًا ، وَعَلَى الَّذِي يَرْكَبُ وَيَشْرَبُ النَّفَقَةُ». رَوَاهُ الْبُخَارِيُّ .

880. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"A mortgaged animal may be ridden by the mortgagee, in return for its expenses and one can drink the**

275- Which means that he did not take the money out of need but he took it just to spend it, having no intention to pay it back.

276- Allâh will punish him for his evil intentions in this world and in the Hereafter.

**milk of a milch-animal in return for its expenses, if it is mortgaged. He, who rides the animal or drinks its milk has to pay the expenses."** Related by Al-Bukhârî.

٨٨١ ــ وَعَنْهُ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ يَغْلَقُ الرَّهْنُ مِنْ صَاحِبِهِ الَّذِي رَهَنَهُ ، لَهُ غُنْمُهُ ، وَعَلَيْهِ غُرْمُهُ». رَوَاهُ الدَّارَقُطْنِيُّ ، وَالْحَاكِمُ ، وَرِجَالُهُ ثِقَاتٌ ، إلاَّ أَنَّ الْمحْفُوظَ عِنْدَ أَبِي دَاوُدَ وَغَيْرِهِ إرْسَالُهُ .

881. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"The mortgaged item does not become the property of the mortgagee** [277] –it remains the property of the owner who mortgaged it- **he** (i.e. the mortgagor) **is entitled to its benefits** (or increase in value) **and he is liable for its expenses (or loss)."**Related by Ad-Dâraqutnî and Al-Hâkim with a trustworthy chain of narrators.

٨٨٢ ــ وَعَنْ أَبِي رَافِعٍ – رَضِيَ اللَّهُ عَنْهُ – أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ اسْتَسْلَفَ مِنْ رَجُلٍ بَكْرًا ، فَقَدِمَتْ عَلَيْهِ إبِلٌ مِنْ إبِلِ الصَّدَقَةِ ، فَأَمَرَ أَبَا رَافِعٍ أَنْ يَقْضِيَ الرَّجُلَ بَكْرَهُ ، فَقَالَ : لاَ أَجِدُ إلاَّ خِيَارًا رَبَاعِيًا ، فَقَالَ : «أَعْطِهِ إيَّاهُ ، فَإِنَّ خِيَارَ النَّاسِ أَحْسَنُهُمْ قَضَاءً». رَوَاهُ مُسْلِمٌ .

882. Abû Râfi´ (RAA) narrated, 'The Messenger of Allâh ﷺ borrowed a young camel (less than six years) from a man, and when the camels of *Zakâh* were brought to him, he ordered Râfi´ to return the young camel to its owner. Abû Râfi´ returned to the Prophet ﷺ and said, 'I could only find an excellent camel above the age of six.' The Messenger of Allâh ﷺ said to him, **"Give it to him, for the best men are those who are best in paying off their debts."** Related by Muslim.

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277- In *Jâhiliyah* -before Islâm- Arabs were in the habit that the mortgagee would claim the ownership of the mortgaged item if the mortgagor failed to pay the due money, so the Prophet ﷺ prohibited this practice.

٨٨٣ ــ وَعَــنْ عَلِيٍّ قَالَ : قَالَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ : «كُلُّ قَرْضٍ جَرَّ مَنْفَعَةً فَهُوَ رِبًا». رَوَاهُ الْحَارِثُ بْنُ أَبِي أُسَامَةَ ، وَإِسْنَادُهُ سَاقِطٌ .

883. ´Alî (RAA) narrated that the Messenger of Allâh ﷺ said, **"Every loan which leads to an extra interest**(when repaid)**, is considered *Ribâ* (Usury)."** Related by Al-Hârith bin Abî Usâmah, but there are omissions in its chain of narrators..

٨٨٤ ــ وَلَهُ شَاهِدٌ ضَعِيفٌ عَنْ فَضَالَةَ بْنِ عُبَيْدٍ عِنْدَ الْبَيْهَقِيِّ .

884. Al-Baihaqî related a similar weak narration on the authority of Fadâlah bin ´Ubaid.

٨٨٥ ــ وَآخَرُ مَوْقُوفٌ عَنْ عَبْدِاللهِ بْنِ سَلاَّمٍ عِنْدَ الْبُخَارِيِّ .

885. Al-Baihaqî also narrated a similar narration on the authority of ´Abdullâh bin Salâm, but it was not traced back to the Prophet ﷺ.

## بَــابُ التَّفْلِيــسِ وَالْحَجْــرِ

## *Chapter VI: Bankruptcy and Hajr*[278]

٨٨٦ ــ عَــنْ أَبِــي بَكْرِ بْنِ عَبْدِالرَّحْمَنِ عَنْ أَبِي هُرَيْرَةَ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : سَمِعْنَا رَسُولَ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ : «مَنْ أَدْرَكَ مَالَهُ بِعَيْنِهِ عِنْدَ رَجُلٍ قَدْ أَفْلَسَ فَهُوَ أَحَقُّ بِهِ مِنْ غَيْرِهِ». مُتَّفَقٌ عَلَيْهِ .

886. Abû Bakr bin ´Abdur Rahmân narrated on the authority of Abû Hurairah (RAA), 'We heard the Messenger of Allâh ﷺ say, **"If a creditor finds the very piece of goods** (which he sold) **with a man who went bankrupt, he is more entitled to take them back than anybody else."** Agreed upon.

٨٨٧ ــ وَرَوَاهُ أَبُو دَاوُدَ ، وَمَالِكٌ مِنْ رِوَايَةِ أَبِي بَكْرِ بْنِ عَبْدِالرَّحْمَنِ مُرْسَلاً بِلَفْظِ : «أَيُّمَــا رَجُــلٌ بَاعَ مَتَاعًا فَأَفْلَسَ الَّذِي ابْتَاعَهُ ، وَلَمْ يَقْضِ الَّذِي بَاعَهُ مِنْ ثَمَنِهِ شَيْئًا

278- Suspension of dealings for the insane and children. .

فَوَجَــدَ مَـــتَاعَهُ بِعَيْـــنِهِ ، فَهُوَ أَحَقُّ بِهِ ، وَإِنْ مَاتَ الْمُشْتَرِي فَصَاحِبُ الْمَتَاعِ أُسْوَةُ الْغُرَمَاءِ». وَوَصَلَهُ الْبَيْهَقِيُّ ، وَضَعَّفَهُ تَبَعاً لأَبِي دَاوُدَ .

887. Abû Dawûd and Mâlik transmitted on the authority Abû Bakr bin 'Abdur Rahmân in a *Hadîth Mursal,* **"If anyone sells goods on credit to a man who went bankrupt, and has not paid him any of the price of the goods, then if the very piece of goods** (which he sold) **are with that man, he is more entitled to take them back** (than anybody else). **And if the buyer dies, the owner of the goods is then equivalent to the other creditors** (i.e. he is no more entitled than them in taking his goods back)."

٨٨٨ ــ وَرَوَاهُ أَبُو دَاوُدَ ، وَابْنُ مَاجَهْ مِنْ رِوَايَةِ عُمَرَ بْنِ خَلَدَةَ قَالَ : أَتَيْنَا أَبَا هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - فِي صَاحِبٍ لَنَا قَدْ أَفْلَسَ ، فَقَالَ : لأَقْضِيَنَّ فِيكُمْ بِقَضَاءِ رَسُولِ اللَّـــهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ أَفْلَسَ أَوْ مَاتَ فَوَجَدَ رَجُلٌ مَتَاعَهُ بِعَيْنِهِ فَهُوَ أَحَقُّ بِـــهِ». وَصَـــحَّحَهُ الْحَـــاكِمُ ، وَضَـــعَّفَهُ أَبُو دَاوُدَ ، وَضَعَّفَ أَيْضًا هَذِهِ الزِّيَادَةَ فِي ذِكْرِ الْمَوْتِ .

888. Abû Dawûd and Ibn Mâjah related the same *Hadîth* on the authority of 'Umar bin Khaladah, 'We went to Abû Hurairah (RAA) to tell him about one of our friends who had gone bankrupt. He said, "I shall certainly judge among you with the same judgment of the Prophet ﷺ, **"If anyone becomes bankrupt or dies and the owner of the goods finds the very piece of goods which he sold, he is more entitled to take them back** (than anybody else)." It was rendered as weak by Abû Dawûd, but al-Hâkim graded it as *Sahîh*.

٨٨٩ ــ وَعَنْ عُمَرِو بْنِ الشَّرِيدِ عَنْ أَبِيهِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَـــلَّى اللَّـــهُ عَلَـــيْهِ وَسَلَّمَ : «لَيُّ الْوَاجِدِ يُحِلُّ عِرْضَهُ وَعُقُوبَتَهُ». رَوَاهُ أَبُو دَاوُدَ ، وَالنَّسَائِيُّ ، وَعَلَّقَهُ الْبُخَارِيُّ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

889. 'Amro bin ash-Sharîd narrated on the authority of his father (RAA) that the Messenger of Allâh ﷺ said, **"Lingering in paying back a due debt**(by one who can afford to pay), **justifies**

**his defamation and punishment."** Related by Abû Dawûd and An-Nasâ'î. Ibn Hibbân graded it as *Sahîh*.

٨٩٠ ــ وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : أُصِيبَ رَجُلٌ فِي عَهْدِ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فِي ثِمَارٍ ابْتَاعَهَا ، فَكَثُرَ دَيْنُهُ ، فَأَفْلَسَ ، فَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «تَصَدَّقُوا عَلَيْهِ» فَتَصَدَّقَ النَّاسُ عَلَيْهِ ، وَلَمْ يَبْلُغْ ذَلِكَ وَفَاءَ دَيْنِهِ ، فَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لِغُرَمَائِهِ : «خُذُوا مَا وَجَدْتُمْ ، وَلَيْسَ لَكُمْ إِلاَّ ذَلِكَ». رَوَاهُ مُسْلِمٌ .

890. Abû Sa'îd al-Khudrî (RAA) narrated,'A man suffered loss in fruit that he had bought, and owed the seller a large amount of money so that he became bankrupt. The Messenger of Allâh ﷺ said, **"Give him *Sadaqah* (charity)."** People paid him charity, but that was not enough to pay his debt. The Messenger of Allâh ﷺ said to his creditors, **"Take what you find, and that is all you may have."** Related by Muslim.

٨٩١ ــ وَعَنِ ابْنِ كَعْبِ بْنِ مَالِكٍ عَنْ أَبِيهِ – رَضِيَ اللَّهُ عَنْهُمَا – : «أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ حَجَرَ عَلَى مُعَاذٍ مَالَهُ ، وَبَاعَهُ فِي دَيْنٍ كَانَ عَلَيْهِ». رَوَاهُ الدَّارَقُطْنِيُّ ، وَصَحَّحَهُ الْحَاكِمُ ، وَأَخْرَجَهُ أَبُو دَاوُدَ مُرْسَلاً ، وَرَجَّحَ إِرْسَالَهُ .

891. Ka'b bin Mâlik narrated on the authority of his father (RAA), 'The Messenger of Allâh ﷺ suspended the property of Mu'âdh (prohibiting him from making any deals) and sold it to repay a debt that was due on him.' Related by Ad-Dâraqutnî and was graded as *Sahîh* by Al-Hâkim.

٨٩٢ ــ وَعَنِ ابْنِ عُمَرَ – رَضِيَ اللَّهُ عَنْهُمَا – قَالَ : «عُرِضْتُ عَلَى النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَوْمَ أُحُدٍ ، وَأَنَا ابْنُ أَرْبَعَ عَشْرَةَ سَنَةً – فَلَمْ يُجِزْنِي ، وَعُرِضْتُ عَلَيْهِ يَوْمَ الْخَنْدَقِ ، وَأَنَا ابْنُ خَمْسَ عَشْرَةَ سَنَةً ، فَأَجَازَنِي». مُتَّفَقٌ عَلَيْهِ .

وَفِي رِوَايَةٍ لِلْبَيْهَقِيِّ : «فَلَمْ يُجِزْنِي وَلَمْ يَرَنِي بَلَغْتُ». وَصَحَّحَهُ ابْنُ خُزَيْمَةَ .

892. Ibn 'Umar (RAA) narrated, 'I was presented to the Prophet ﷺ on the Day of *Uhud* when I was fourteen years of age (to

ask him for permission to fight with the men), but he did not allow me (to take part in the battle). I was again called on the Battle of *al-Khandaq* (the Trench) when I was fifteen years old, and he allowed me (to take part in the battle)."[279] Agreed upon.

Al-Baihaqî's version has, 'He did not allow me as he did not see that I have attained puberty.' Ibn Khuzaimah graded it as Sahîh.

٨٩٣ ــ وَعَنْ عَطِيَّةَ الْقُرَظِيِّ – رَضِيَ اللَّهُ تَعَالَى عَنْهُ – قَالَ : «عُرِضْنَا عَلَى النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَوْمَ قُرَيْظَةَ ، فَكَانَ مَنْ أَنْبَتَ قُتِلَ ، وَمَنْ لَمْ يُنْبِتْ خَلَّى سَبِيلَهُ ، فَكُنْتُ مِمَّنْ لَمْ يُنْبِتْ فَخَلَّى سَبِيلِي». رَوَاهُ الأَرْبَعَةُ ، وَصَحَّحَهُ ابْنُ حِبَّانَ ، وَالْحَاكِمُ ، وَقَالَ : عَلَى شَرْطِ الشَّيْخَيْنِ .

893. 'Atiyah al-Quradhî (RAA) narrated, 'We were brought to the Prophet ﷺ on the Day of Quraidhah. Those who had begun to grow (pubic) hair were killed, and those who had not grown hair, were set free. I was among those who had not grown any (pubic) hair, so I was set free.' Related by the four Imâms and rendered as Sahîh by Ibn Hibbân and Al-Hâkim.

٨٩٤ ــ وَعَنْ عَمْرِو بْنِ شُعَيْبٍ عَنْ أَبِيهِ عَنْ جَدِّهِ – رَضِيَ اللَّهُ عَنْهُمَا – : أَنَّ رَسُولَ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لاَ يَجُوزُ لامْرَأَةٍ عَطِيَّةٌ إِلاَّ بِإِذْنِ زَوْجِهَا». وَفِي لَفْظٍ : «لاَ يَجُوزُ لِلْمَرْأَةِ أَمْرٌ فِي مَالِهَا ، إِذَا مَلَكَ زَوْجُهَا عِصْمَتَهَا». رَوَاهُ أَحْمَدُ ، وَأَصْحَابُ السُّنَنِ ، إِلاَّ التِّرْمِذِيَّ ، وَصَحَّحَهُ الْحَاكِمُ .

894. 'Amro bin Shu'aib narrated on the authority of his father on the authority of his grandfather (RAA) that the Messenger of Allâh ﷺ said, **"It is not permissible for a woman to give** (any part of her possessions) **except with the permission of her husband."**

In another version, **"It is not permissible for a woman to be in charge of any of her property if her husband has the full**

279- Scholars deduced from this hadîth that fifteen is the age limit between childhood and manhood, and that anyone who has not attained the age of fifteen, is not allowed to be in charge of his money or make any business dealings.

**right to divorce her.[280]"** Related by A*h*mad and the authors of the *Sunan* except for At-Tirmidhî. Al-Hâkim graded it as *Sahîh*.

٨٩٥ ـ وَعَنْ قَبِيصَةَ بْنِ مُخَارِقٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِنَّ الْمَسْأَلَةَ لاَ تَحِلُّ إِلاَّ لأَحَدِ ثَلاَثَةٍ : رَجُلٍ تَحَمَّلَ حَمَالَةً ، فَحَلَّتْ لَهُ الْمَسْأَلَةُ حَتَّى يُصِيبَهَا ثُمَّ يُمْسِكَ ، وَرَجُلٍ أَصَابَتْهُ جَائِحَةٌ اجْتَاحَتْ مَالَهُ ، فَحَلَّتْ لَهُ الْمَسْأَلَةُ حَتَّى يُصِيبَ قِوَامًا مِنْ عَيْشٍ ، وَرَجُلٍ أَصَابَتْهُ فَاقَةٌ حَتَّى يَقُولَ ثَلاَثَةٌ مِنْ ذَوِي الْحِجَى مِنْ قَوْمِهِ : لَقَدْ أَصَابَتْ فُلاَنًا فَاقَةٌ ، فَحَلَّتْ لَهُ الْمَسْأَلَةُ».
رَوَاهُ مُسْلِمٌ .

895. Qabîsah bin Mukhâriq (RAA) narrated that the Messenger of Allâh ﷺ said, **"Asking for** (the money of) ***Zakâh*, is justified only for the following three: first, a man who is in debt, it is then permissible for him to receive [*Zakâh*] until his difficulty is resolved; second, a man who was struck by calamity which destroyed his holdings, which also makes it permissible for him to receive [*Zakâh*] until he is in a position to earn his own sustenance; and third, a man who has been reduced to poverty and three persons of caliber from among his people testify to his desperate situation, will receive until he finds for himself a means of support."** Related by Muslim.

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280- Imâm al-Khattâbî said that this is not an obligation on the woman, rather it is just preferable due to the joint life between them to take his permission, or that this is only relevant to a woman who has not reached puberty. This is supported by the Hadîth, which relates that the Prophet ﷺ said to the women (on the Day of al-*Ad-hâ*), **"Give Charity"**, and the women straight away started to throw their jewelry to the Prophet ﷺ, whether ear-rings, rings etc and Bilâl was collecting them in his garment, and this is considered as giving of their property without the permission of the husband, and this is the opinion of the scholars.

## بَــابُ الصُّلْــحِ

## Chapter VII: Reconciliation

٨٩٦ ـــ عَـــنْ عَمْرِو بْنِ عَوْفٍ الْمُزَنِيِّ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - ، أَنَّ رَسُولَ اللَّه صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «الصُّلْحُ جَائِزٌ بَيْنَ الْمُسْلِمِينَ إِلاَّ صُلْحًا حَرَّمَ حَلاَلاً ، أَوْ أَحَلَّ حَرَامًا ، وَالْمُسْلِمُونَ عَلَى شُرُوطِهِم ، إِلاَّ شَرْطًا حَرَّمَ حَلاَلاً ، أَو أَحَلَّ حَرَامًا». رَوَاهُ الـــتِّرْمِذِيُّ وَصَحَّحَهُ ، وأَنْكَرُوا عَلَيْهِ ؛ لأَنَّ رَاوِيَهُ كَثِيرُ بْنُ عَبْدِاللَّه بْنِ عَمْرِو بْنِ عَوْفٍ ضَعِيفٌ ، وَكَأَنَّهُ اعْتَبَرَهُ بِكَثْرَةِ طُرُقِهِ .

896. ´Amro bin ´Auf al-Muzanî (RAA) narrated that the Messenger of Allâh ﷺ said, **"Reconciliation is permissible between Muslims, except one which makes something that is lawful (*Halâl*) as unlawful, or makes something which is unlawful (*Harâm*) as lawful. Muslims are to adhere to their terms (conditions) save a term that permits something which is unlawful (*Harâm*) or prohibits something which is lawful (*Halâl*)."** Related by At-Tirmidhî who graded it as *Sahîh*, but scholars disagreed with him because the narration of Kathîr bin ´Abdullâh bin ´Amro bin ´Auf is weak. Perhaps at-Tirmidhî considered it reliable as it was narrated through many chains of narrators.

٨٩٧ ـــ وَقَدْ صَحَّحَهُ ابْنُ حِبَّانَ ، مِنْ حَدِيثِ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - .

897. Ibn Hibbân rendered it as a *Hadîth Sahîh* on the authority of Abû Hurairah.

٨٩٨ ـــ وَعَـــنْ أَبِـــي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - : أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لاَ يَمْنَعْ جَارٌ جَارَهُ أَنْ يَغْرِزَ خَشَبَةً فِي جِدَارِهِ» ، ثُمَّ يَقُولُ أَبُو هُرَيْرَةَ : مَا لِي أَرَاكُمْ عَنْهَا مُعْرِضِينَ ؟ وَاللَّهِ لأَرْمِيَنَّ بِهَا بَيْنَ أَكْتَافِكُمْ . مُتَّفَقٌ عَلَيْهِ .

898. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"No one should prevent his neighbor from fixing a wooden peg in his wall."** Abû Hurairah then said (to his companions), 'Why do I find you averse to it? By Allâh, I will always

keep narrating it to you (to remind you of this hadîth).' Agreed upon.

٨٩٩ ـــ وَعَـــنْ أَبـــي حُمَيْدٍ السَّاعِدِيِّ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ يَحِلُّ لامْرِئٍ أَنْ يَأْخُذَ عَصَا أَخِيهِ بِغَيْرِ طِيبِ نَفْسٍ مِنْهُ». رَوَاهُ ابْنُ حِبَّانَ ، وَالْحَاكِمُ فِي صَحِيحَيْهِمَا .

899. Abû Hamîd as-Sâ'idî (RAA) narrated that the Messenger of Allâh said, **"No Muslim has the right to take his** (Muslim) **brother's stick except with his willing permission."** Related by Ibn Hibbân and Al-Hâkim.

## بَـــابُ الْحَوَالَـــةِ وَالضَّمَـــانِ

## *Chapter VIII: Hiwâlah (Transferring the Right to Collect a Debt) and Damân (Guaranteeing Payment)*

٩٠٠ ـــ عَنْ أَبِي هُرَيْرَةَ – رَضِيَ اللَّهُ تَعَالَى عَنْهُ – قَالَ : قَالَ رسولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَطْلُ الْغَنِيِّ ظُلْمٌ ، وَإِذَا أُتْبِعَ أَحَدُكُمْ عَلَى مَلِيءٍ فَلْيُتْبَعْ» مُتَّفَقٌ عَلَيْهِ ، وَفِي رِوَايَةٍ لأَحْمَدَ : «وَمَنْ أُحِيلَ فَلْيَحْتَلْ».

900. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"Lingering in repaying due debts by a wealthy person is an act of injustice. And if one of you is referred to a wealthy person** (i.e. his debt is transferred to that person to pay it on his behalf)**, he should accept it"** Agreed upon.

٩٠١ ـــ وَعَـــنْ جَابِرٍ – رَضِيَ اللَّهُ تَعَالَى عَنْهُ – قَالَ : تُوُفِّيَ رَجُلٌ مِنَّا ، فَغَسَّلْنَاهُ ، وَحَنَّطْنَاهُ وَكَفَّنَّاهُ ، ثُمَّ أَتَيْنَا بِهِ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، فَقُلْنَا : تُصَلِّي عَلَيْهِ؟ فَخَطَـــا خُطًى ، ثُمَّ قَالَ : «أَعَلَيْهِ دَيْنٌ ؟» ، فَقُلْنَا : دِينَارَانِ ، فَانْصَرَفَ ، فَتَحَمَّلَهُمَا أَبو قَتَادَةَ ، فَأَتَيْنَاهُ ، فَقَالَ أَبو قَتَادَةَ : الدِّينَارَانِ عَلَيَّ . فَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ

وَسَــلَّمَ : «حَــقُّ الْغَــرِيمِ ، وَبَــرِيءَ مِنْهُمَا الْمَيِّتُ» ، قَالَ : نَعَمْ ، فَصَلَّى عَلَيْهِ .
رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَالنَّسَائِيُّ ، وَصَحَّحَهُ ابْنُ حِبَّانَ ، وَالْحَاكِمُ .

901. Jâbir (RAA) narrated, 'A man from among us died, so we made *Ghusl* for him and shrouded him, and we brought him to the Prophet ﷺ, and said, 'Shall we offer the funeral prayer (*Janâzah*) for him?' Allâh's Messenger ﷺ made a few steps forward and then said, **"Is he in debt?"** We replied, 'Yes, two Dînârs (that he owes to somebody).' The Messenger of Allâh ﷺ then turned away, but Abû Qatâdah took upon himself the responsibility to pay the debt. We then went back to the Prophet ﷺ and Abû Qatâdah said, 'I shall pay the two Dînârs.' The Messenger of Allâh ﷺ thereupon said, **"Are you taking the responsibility of paying the creditor his rights? In that case the dead will be free from this obligation"** Abû Qatâdah said, 'Yes.' The Messenger of Allâh ﷺ then offered the funeral prayer for the deceased. Related by Ahmad, Abû Dawûd and An-Nasâ'î. Ibn Hibbân and al-Hâkim graded it as *Sahîh*.

٩٠٢ ــ وَعَنْ أَبِي هُرَيْرَةَ – رَضِيَ اللَّهُ تَعَالَى عَنْهُ – : أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ يُؤْتَى بِالرَّجُلِ الْمُتَوَفَّى عَلَيْهِ الدَّيْنُ فَيَسْأَلُ : «هَلْ تَرَكَ لِدَيْنِهِ مِنْ قَضَاءٍ ؟» فَإِنْ حُدِّثَ أَنَّهُ تَرَكَ وَفَاءً صَلَّى عَلَيْهِ ، وَإِلاَّ قَالَ : «صَلُّوا عَلَى صَاحِبِكُمْ» ، فَلَمَّا فَتَحَ اللَّــهُ عَلَــيْهِ الْفُتُوحَ قَالَ : «أَنَا أَوْلَى بِالْمُؤْمِنِينَ مِنْ أَنْفُسِهِم فَمَنْ تُوُفِّيَ وَعَلَيْهِ دَيْنٌ ، فَعَلَيَّ قَضَاؤُهُ». مُتَّفَقٌ عَلَيْهِ .
وَفِي رِوَايَةٍ لِلْبُخَارِيِّ : «فَمَنْ مَاتَ وَلَمْ يَتْرُكْ وَفَاءً».

902. Abû Hurairah (RAA) narrated, 'Whenever a man, who had died while being in debt was brought to Allâh's Messenger ﷺ, he would ask, **'Has he left anything to repay his debt**?' If he was told that he had left something to repay his debts, he would lead the funeral prayer for him, otherwise he would say, **"Offer the funeral prayer for your brother."** When Allâh guaranteed His Messenger ﷺ wealth through conquests, he said,**"I am closer to the believers than themselves, so if a Muslim dies while**

**in debt, I am responsible for the repayment of his debt."** Agreed upon.

In a version by Al-Bukhârî, **"Whoever dies without leaving anything to pay his debt, I am responsible ..."**

٩٠٣ ــ وَعَــنْ عَمْرِو بْنِ شُعَيْبٍ ، عَنْ أَبِيهِ ، عَنْ جَدِّهِ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ كَفَالَةَ فِي حَدٍّ». رَوَاهُ الْبَيْهَقِيُّ بِإِسْنَادٍ ضَعِيفٍ .

903. ´Amro bin Shu´aib narrated on the authority of his father on the authority of his grandfather, that the Messenger of Allâh ﷺ said, **"No guarantee** (i.e. guaranteeing another's appearance) **is accepted in prescribed punishments."** Related by Al-Baihaqî with a weak chain of narrators.

## بَــابُ الشَّرِكَــةِ وَالْوَكَالَــةِ

## *Chapter IX: Partnership and Agency*

٩٠٤ ــ عَــنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ : «قَالَ اللَّهُ - تَعَالَى - : أَنَا ثَالِثُ الشَّرِيكَيْنِ مَا لَمْ يَخُنْ أَحَدُهُمَا صَاحِبَهُ ، فَإِذَا خَانَ خَرَجْتُ مِنْ بَيْنِهِمَا». رَوَاهُ أَبُو دَاوُدَ ، وَصَحَّحَهُ الْحَاكِمُ .

904. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"Allâh, the Most High says, 'I am the third (partner) of two partners as long as one of them does not betray the other; if they betray (each other), I shall depart from them."**Related by Abû Dawûd. Al-Hâkim graded it as Sahîh

٩٠٥ ــ وَعَــنِ السَّــائِبِ الْمَخْــزُومِيِّ - رَضِيَ اللَّهُ عَنْهُ - أَنَّهُ كَانَ شَرِيكَ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَبْلَ الْبِعْثَةِ ، فَجَاءَ يَوْمَ الْفَتْحِ فَقَالَ : «مَرْحَبًا بِأَخِي وَشَرِيكِي». رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَابْنُ مَاجَهْ .

905. As-Sâ'ib Al-Makhzûmî (RAA) narrated that he was the partner of the Prophet ﷺ before the Message. On the Day of the Conquest of Makkah, the Prophet ﷺ said (to him), **"Welcome my**

**brother and my partner."** Related by Ahmad, Abû Dawûd and Ibn Mâjah.

٩٠٦ ـــ وَعَـــنْ عَبْدِاللَّهِ بْنِ مَسْعُودٍ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : «اشْتَرَكْتُ أَنَا وَعَمَّارٌ وَسَعْدٌ ، فِيمَا نُصِيبُ يَوْمَ بَدْرٍ». الْحَدِيثَ . رَوَاهُ النَّسَائِيُّ .

906. ´Abdullâh Ibn Mas´ûd (RAA) narrated, 'Ammâr, Sa´d and I agreed to become partners in whatever we obtained from the war booties on the Day of *Badr*." Related by An-Nasâ'î.

٩٠٧ ـــ وَعَنْ جَابِرِ بْنِ عَبْدِاللَّهِ - رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا - قَالَ : أَرَدْتُ الْخُرُوجَ إِلَـــى خَيْـــبَرَ ، فَأَتَيْتُ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ : «إِذَا أَتَيْتَ وَكِيلِي بِخَيْبَرَ ، فَخُذْ مِنْهُ خَمْسَةَ عَشَرَ وَسْقًا». رَوَاهُ أَبُو دَاوُدَ وَصَحَّحَهُ .

907. Jâbir bin ´Abdullâh (RAA) narrated, 'I intended to go to Khaibar, so I went to the Prophet ﷺ (to tell him) and he said to me, **"If you meet my agent** (who collects the *Zakâh* property) **at Khaibar, take fifteen *Awsuq* from him."** Related by Abû Dawûd who graded it as Sahîh..

٩٠٨ ـــ وَعَـــنْ عُرْوَةَ الْبَارِقِيِّ - رَضِيَ اللَّهُ عَنْهُ - : أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ بَعَـــثَ مَعَهُ بِدِينَارٍ ، يَشْتَرِي لَهُ أُضْحِيَّةً . الْحَدِيثَ . رَوَاهُ الْبُخَارِيُّ فِي أَثْنَاءِ حَدِيثٍ ، وَقَدْ تَقَدَّمَ .

908. ´Urwah al-Bâriqî (RAA) narrated that the Messenger of Allâh ﷺ gave him a Dînâr to buy him a sacrificial animal or sheep (refer to hadîth no. 839.) Related by Al-Bukhârî.

٩٠٩ ـــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : «بَعَثَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عُمَرَ عَلَى الصَّدَقَةِ .» الْحَدِيثَ . مُتَّفَقٌ عَلَيْهِ .

909. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ sent ´Umar to collect the *Zakâh* property .' Agreed upon.

٩١٠ ـــ وَعَـــنْ جَابِـــرٍ – رَضِيَ اللَّهُ عَنْهُ – : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ نَحَرَ ثَلاَثًــا وَسِـــتِّينَ ، وَأَمَـــرَ عَلِــيًّا – رَضِيَ اللَّهُ عَنْهُ – أَنْ يَذْبَحَ الْبَاقِي .» الْحَدِيثَ. رَوَاهُ مُسْلِمٌ .

910. Jâbir bin ´Abdullâh (RAA) narrated, 'The Messenger of Allâh ﷺ sacrificed sixty-three (camels) and ordered ´Alî to slaughter the rest (refer to hadîth 760).' Related by Muslim.

٩١١ ـــ وَعَـــنْ أَبِـــي هُرَيْـــرَةَ فِي قِصَّةِ الْعَسِيفِ قَالَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : « وَاغْدُ يَا أُنَيْسُ عَلَى امْرَأَةِ هَذَا ، فَإِنْ اعْتَرَفَتْ فَارْجُمْهَا .» الْحَدِيثَ . مُتَّفَقٌ عَلَيْهِ .

911. Abû Hurairah (RAA) narrated with relevance to the story of the hired slave (who committed adultery with the wife of his master), **"Go Unais to the wife of this (man, i.e. the master) and if she confesses (that she has committed adultery), then stone her to death.'** Agreed upon.

## بَـــابُ الإِقْـــرَارِ

## *Chapter X: Confession*

٩١٢ ـــ عَـــنْ أَبِـــي ذَرٍّ – رَضِـــيَ اللَّهُ عَنْهُ – قَالَ : قَالَ لِي النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «قُلِ الْحَقَّ ، وَلَوْ كَانَ مُرًّا». صَحَّحَهُ ابْنُ حِبَّانَ مِنْ حَدِيثٍ طَوِيلٍ .

912. Abû Dharr (RAA) narrated that the Messenger of Allâh ﷺ said to me, **"Say the truth no much how bitter it is."** Related by Ibn Hibbân as a part of a long *Hadîth* and graded it as *Sahîh*.

## بَـــابُ الْـــعَـــارِيَـــةِ

## *Chapter XI: Al-´Âriya (Lending something For use)*

٩١٣ ـــ عَـــنْ سَـــمُرَةَ بْـــنِ جُنْدَبٍ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «عَلَى الْيَدِ مَا أَخَذَتْ حَتَّى تُؤَدِّيَهُ». رَوَاهُ أَحْمَدُ ، وَالأَرْبَعَةُ ، وَصَحَّحَهُ الْحَاكِمُ .

913. Samurah bin Jundub (RAA) narrated that the Messen-

ger of Allâh ﷺ said, **"The hand (the person) which borrowed bears responsibility for the taken item, until it is returned."** Related by Ahmad and the four Imâms. Al-Hâkim graded it as *Sahîh*.

٩١٤ — وَعَـــنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى
اللَّـــهُ عَلَـــيْهِ وَسَـــلَّمَ : «أَدِّ الأَمَانَةَ إِلَى مَنِ ائْتَمَنَكَ ، وَلاَ تَخُنْ مَنْ خَانَكَ». رَوَاهُ
الـــتِّرْمِذِيُّ ، وَأَبُو دَاوُدَ وَحَسَّنَهُ ، وَصَحَّحَهُ الْحَاكِمُ ، وَاسْتَنْكَرَهُ أَبُو حَاتِمٍ الرَّازِي ،
وَأَخْرَجَهُ جَمَاعَةٌ مِنَ الْحُفَّاظِ ، وَهُوَ شَامِلٌ لِلْعَارِيَةِ .

914. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"Render back the trusts to those who trusted you, and do not betray those who betrayed you."** Related by At-Tirmidhî and Abû Dawûd who graded it as *Hasan*..

٩١٥ — وَعَـــنْ يَعْلَى بْنِ أُمَيَّةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ لِي رَسُولُ اللَّهِ
صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا أَتَتْكَ رُسُلِي فَأَعْطِهِمْ ثَلاَثِينَ دِرْعًا» ، قُلْتُ : يَا رَسُولَ
اللَّـــهِ أَعَارِيَةٌ ، مَضْمُونَةٌ ، أَوْ عَارِيَةٌ مُؤَدَّاةٌ ؟ قَالَ : «بَلْ عَارِيَةٌ مُؤَدَّاةٌ». رَوَاهُ أَحْمَدُ ،
وَأَبُو دَاوُدَ ، وَالنَّسَائِيُّ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

915. Ya'lî bin Umaiyah (RAA) narrated that the Messenger of Allâh ﷺ said to me, **"When my messengers come to you, give them thirty coats of mail."** I asked, 'O Messenger of Allâh! Is it a lent item with a guarantee of its return (*Madmûnah*),[281] or just a lent item that will be returned (*Mu'addâh*) (in this case he is not financially liable for its loss or destruction.' The Messenger of Allâh ﷺ said, **"No, it is a lent item that will be returned."** [282]

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281- For which he(the person lent to) is financially liable if it is destroyed due to negligence or being used for other than what the lender permitted.

282- Some scholars take this hadîth as evidence that the person who borrows an item for a certain period of time is not financially liable for its destruction but is only responsible to give it back as long as it is safe. But most scholars are of the opinion that if a lent item is lost or destroyed due to misuse then the person who borrowed it must pay its price which is the -*'Âriya Madmûnah*.

Related by Ahmad, Abû Dawûd and An-Nasâ'î. Ibn Hibbân graded it as *Sahîh*.

٩١٦ ــ وَعَــنْ صَــفْوَانَ بْــنِ أُمَيَّةَ - رَضِيَ اللَّهُ عَنْهُ - : أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ اسْتَعَارَ مِنْهُ دُرُوعًا يَوْمَ حُنَيْنٍ ، فَقَالَ : أَغَصْبٌ يَا مُحَمَّدُ ؟ قَالَ : «بَلْ عَارِيَةٌ مَضْمُونَةٌ». رَوَاهُ أَبُو دَاوُدَ ، وَأَحْمَدُ ، وَالنَّسَائِيُّ ، وَصَحَّحَهُ الْحَاكِمُ .

916. Safwân bin Umaiyah (RAA) narrated, 'The Messenger of Allâh ﷺ borrowed coats of mail from him on the Day of *Hunain*. Safwân asked him, 'Are you taking them by force O Muhammad?' The Messenger of Allâh ﷺ replied, **"No, it is a loan with a guarantee of its return (*Madmûnah*)."** Related by Abû Dawûd, Ahmad and An-Nasâ'î. Al-Hâkim graded it as *Sahîh*.

٩١٧ ــ وَأَخْرَجَ لَهُ شَاهِدًا ضَعِيفًا عَنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - .

917. Al-Hâkim narrated a similar hadîth on the authority of Ibn 'Abbâs (RAA).

## بَــابُ الْــغَــصْــبِ

## *Chapter XII: Ghasb (The return of wrongfully taken property)*

٩١٨ ــ عَــنْ سَــعِيدِ بْنِ زَيْدٍ - رَضِيَ اللَّهُ عَنْهُ - : أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ قَــالَ : «مَــنِ اقْتَطَعَ شِبْرًا مِنَ الأَرْضِ ظُلْمًا طَوَّقَهُ اللَّهُ إِيَّاهُ يَوْمَ الْقِيَامَةِ مِنْ سَبْعِ أَرْضِينَ». مُتَّفَقٌ عَلَيْهِ .

918. Sa'îd bin Zaid (RAA) narrated that the Messenger of Allâh ﷺ said, **"Whoever usurps even one span of anyone's land, his neck will be encircled with it down the seven earths on the Day of Judgment."** Agreed upon.

٩١٩ ــ وَعَــنْ أَنَسٍ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ عِنْدَ بَعْــضِ نِسَائِهِ ، فَأَرْسَلَتْ إِحْدَى أُمَّهَاتِ الْمُؤْمِنِينَ مَعَ خَادِمٍ لَهَا بِقَصْعَةٍ فِيهَا طَعَامٌ ،

فضَرَبَتْ بِيَدِهَا ، فَكَسَرَتْ الْقَصْعَةَ فَضَمَّهَا ، وَجَعَلَ فِيهَا الطَّعَامَ ، وَقَالَ : «كُلُوا». وَدَفَعَ الْقَصْعَةَ الصَّحِيحَةَ لِلرَّسُولِ ، وَحَبَسَ الْمَكْسُورَةَ . رَوَاهُ الْبُخَارِيُّ ، وَالتِّرْمِذِيُّ ، وَسَمَّى الضَّارِبَةَ : عَائِشَةَ ، وَزَادَ : «فَقَالَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : طَعَامٌ بِطَعَامٍ ، وَإِنَاءٌ بِإِنَاءٍ» ، وَصَحَّحَهُ .

919. Anas (RAA) narrated, 'While The Messenger of Allâh ﷺ was with one of his wives, one of the mothers of the believers (i.e. one of his wives) sent a bowl containing some food with a servant of hers. The wife (in whose house the Messenger of Allâh ﷺ was sitting) struck the bowl with her hand and broke it. The Prophet collected the shattered pieces and put the food back in it and said to them, **"Eat."** The Messenger of Allâh then gave another unbroken bowl to the servant and kept the broken one.' Related by Al-Bukhârî and At-Tirmidhî, who mentioned that the one who broke the bowl was ´Â'ishah(RAA). He also added in his version, 'and the Messenger of Allâh ﷺ said, **"Food for food and a bowl for a bowl."**

٩٢٠ — وَعَنْ رَافِعِ بْنِ خَدِيجٍ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : قَالَ رَسُولُ اللَّه صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ زَرَعَ فِي أَرْضِ قَوْمٍ بِغَيْرِ إِذْنِهِمْ فَلَيْسَ لَهُ مِنَ الزَّرْعِ شَيْءٌ ، وَلَهُ نَفَقَتُهُ». رَوَاهُ أَحْمَدُ ، وَالأَرْبَعَةُ إِلاَّ النَّسَائِيَّ ، وَحَسَّنَهُ التِّرْمِذِيُّ ، وَيُقَالُ : إِنَّ الْبُخَارِيَّ ضَعَّفَهُ .

920. Râfi´ bin Khadîj (RAA) narrated that the Messenger of Allâh ﷺ said, **"If anyone sows in other people's land without their permission, he has no right to any of the crop, but he may get back what it cost him."** Related by Ahmad, and the four Imâms except for An-Nasâ'î. At-Tirmidhî graded it as *Hasan*.

٩٢١ — وَعَنْ عُرْوَةَ بْنِ الزُّبَيْرِ – رَضِيَ اللَّهُ عَنْهُمَا – قَالَ : قَالَ رَجُلٌ مِنْ أَصْحَابِ رَسُولِ اللَّه صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِنَّ رَجُلَيْنِ اخْتَصَمَا إِلَى رَسُولِ اللَّه صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فِي أَرْضٍ ، غَرَسَ أَحَدُهُمَا فِيهَا نَخْلاً ، وَالأَرْضُ لِلآخَرِ ، فَقَضَى رَسُولُ

اللَّه صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بِالأَرْضِ لِصَاحِبِهَا ، وَأَمَرَ صَاحِبَ النَّخْلِ أَنْ يُخْرِجَ نَخْلَهُ ، وَقَالَ : «لَيْسَ لِعِرْقٍ ظَالِمٍ حَقٌّ». رَوَاهُ أَبُو داود ، وَإِسْنَادُهُ حَسَنٌ .

921. 'Urwah bin Az-Zubair (RAA) narrated, 'A man from the Companions of the Prophet ﷺ said, 'Two men came to the Prophet disputing over a piece of land, in which one of them had planted palm-trees and the land belonged to the other.' The Prophet ﷺ judged that the land belonged to its original owner and commanded the other to take out his palm-trees (which he planted unjustly), and said, **"No right pertains to the one who plants the land of others wrongfully."**[283] Related by Abû Dawûd with a good chain of narrators.

٩٢٢ ــ وَآخِرَهُ عِنْدَ أَصْحَابِ السُّنَنِ مِنْ رِوَايَةِ عُرْوَةَ ، عَنْ سَعِيدِ بْنِ زَيْدٍ ، وَاخْتُلِفَ فِي وَصْلِهِ وَإِرْسَالِهِ ، وَفِي تَعْيِينِ صَحَابِيِّهِ .

922. The quoted part of the aforementioned *Hadîth*, is also related by the authors of the *Sunan* on the authority of 'Urwah bin Sa'îd bin Zaid.

٩٢٣ ــ وَعَنْ أَبِي بَكْرَةَ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ فِي خُطْبَتِهِ يَوْمَ النَّحْرِ بِمِنًى : «إِنَّ دِمَاءَكُمْ وَأَمْوَالَكُمْ عَلَيْكُمْ حَرَامٌ كَحُرْمَةِ يَوْمِكُمْ هَذَا ، فِي شَهْرِكُمْ هَذَا ، فِي بَلَدِكُمْ هَذَا». مُتَّفَقٌ عَلَيْهِ .

923. Abû Bakrah (RAA) narrated that the Messenger of Allâh ﷺ said in the Sermon of the Farewell Pilgrimage at Minâ, **"O people! Surely, your blood and property are inviolable until you meet your Lord, as the inviolability of this day and this month in this land."** Agreed upon.

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283- He either takes out what he cultivated or takes the amount that he spent on it.

## بَـــابُ الشُّـــفْـــعَـــة

## *Chapter XIII: Ash-Shuf'ah (Preempting the sale of a co-owner's Share to another)*

٩٢٤ ـــ عَـــنْ جَابِــرِ بْنِ عَبْدِاللَّه – رَضِيَ اللَّهُ عَنْهُمَا – قَالَ : «قَضَى رَسُولُ اللَّه صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بِالشُّفْعَة فِي كُلِّ مَا لَمْ يُقْسَمْ ، فَإِذَا وَقَعَتِ الْحُدُودُ ، وَصُرِّفَتِ الطُّرُقُ ، فَلاَ شُفْعَةَ». مُتَّفَقٌ عَلَيْه ، وَاللَّفْظُ لِلْبُخَارِيِّ .

924. Jâbir bin 'Abdullâh (RAA) narrated, 'The Messenger of Allâh ﷺ decreed the right of preemption (to the partner) in every joint property (i.e. which is not clearly divided between partners), but if the boundaries of the property were demarcated or the ways and roads were fixed, then there is no preemption.' Agreed upon and the wording is from Al-Bukhârî'.

٩٢٥ ـــ وَفِـــي رِوَايَـــةِ مُسْلِمٍ : «الشُّفْعَةُ فِي كُلِّ شِرْكٍ : فِي أَرْضٍ ، أَوْ رَبْعٍ ، أَوْ حَائِطٍ ، لاَ يَصْلُحُ . وَفِي لَفْظ : لاَ يَحِلُّ أَنْ يَبِيعَ حَتَّى يَعْرِضَ عَلَى شَرِيكه».
وَفِي رِوَايَة لِلطَّحَاوِيِّ : «قَضَى النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بِالشُّفْعَةِ فِي كُلِّ شَيْءٍ». وَرِجَالُهُ ثِقَاتٌ .

925. In Muslim's version, 'Preemption is applicable in every joint property, whether land, a dwelling or a garden. It is not valid –in another version 'it is not lawful- for the partner to sell his share before informing his partner.'

٩٢٦ ـــ وَعَـــنْ أَنَـــسِ بْـــنِ مَالِكٍ قَالَ : قَالَ رَسُولُ اللَّه صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «جَارُ الدَّارِ أَحَقُّ بِالدَّارِ». رَوَاهُ النَّسَائِيُّ ، وَصَحَّحَهُ ابْنُ حِبَّانَ ، وَلَهُ عِلَّةٌ .

926. Anas bin Mâlik narrated that the Messenger of Allâh ﷺ said,**"The neighbor of the house is the one who has the most right to buy it."** Related by An-Nasâ'î. Ibn Hibbân graded it as *Sahîh*, but it has a defected chain of narrators.

٩٢٧ ـــ وَعَـــنْ أَبِي رَافِعٍ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «الْجَارُ أَحَقُّ بِصَقَبِهِ». أَخْرَجَهُ الْبُخَارِيُّ ، وَالْحَاكِمُ ، وَفِيهِ قِصَّةٌ .

927. Abû Râfi' (RAA) narrated that the Messenger of Allâh ﷺ said, **"The neighbor has more right than any one else because of his nearness."** Related by Al-Bukhârî and al-Hâkim.

٩٢٨ ـــ وَعَـــنْ جَابِـــرٍ – رَضِـــيَ اللَّهُ عَنْهُ – قَالَ : قَالَ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ : «الْجَـــارُ أَحَـــقُّ بِشُفْعَةِ جَارِهِ ، يُنْتَظَرُ بِهَا – وَإِنْ كَانَ غَائِبًا – إِذَا كَانَ طَرِيقُهُمَا وَاحِدًا». رَوَاهُ أَحْمَدُ ، وَالأَرْبَعَةُ ، وَرِجَالُهُ ثِقَاتٌ .

928. Jâbir (RAA) narrated that the Messenger of Allâh ﷺ said, **"The neighbor has the most right to the preemption of his neighbor's property. He should be waited for** (before selling it)**even if he was absent, when the two properties share the same road."** Related by Ahmad and the four Imâms with a reliable chain of narrators.

٩٢٩ ـــ وَعَـــنِ ابْـــنِ عُمَرَ ، عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «الشُّفْعَةُ كَحَلِّ الْعِقَالِ». رَوَاهُ ابْنُ مَاجَهْ ، وَالْبَزَّارُ ، وَزَادَ : «وَلاَ شُفْعَةَ لِغَائِبٍ». وَإِسْنَادُهُ ضَعِيفٌ .

929. Ibn 'Umar (RAA) narrated that the Messenger of Allâh ﷺ said, **"The right of the neighbor for preemption is similar to loosening a strap."**[284] Related by Ibn Mâjah and Al-Bazzâr who added, **"There is no preemption for one who is absent."** But it is narrated through a weak chain of narrators.

284- The Prophet ﷺ is drawing a parallel between the two cases. When the strap of the camel is loosened it flees immediately, the same applies if the neighbor does not hurry to buy the property which is on sale, then his right to buy it will be lost just as fast as the running of the camel. But this Hadîth is

# بَـــابُ الْقِـــرَاضِ

## *Chapter XIV: Al-Qirâd (Financing a Profit –sharing venture)*

٩٣٠ ــ عَـــنْ صُهَيْبٍ – رَضِيَ اللَّهُ عَنْهُ – : أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «ثَلاَثٌ فِيهِنَّ الْبَرَكَةُ ، الْبَيْعُ إِلَى أَجَلٍ ، وَالْمُقَارَضَةُ ، وَخَلْطُ الْبُرِّ بِالشَّعِيرِ لِلْبَيْتِ ، لاَ لِلْبَيْعِ». رَوَاهُ ابْنُ مَاجَهْ بِإِسْنَادٍ ضَعِيفٍ .

930. Suhaib (RAA) narrated that the Messenger of Allâh ﷺ said,**"There are three things which are blessed, selling with a postponed credit,[285] *Muqâradah,*[286] and mixing wheat and barley for one's household and not for sale."** Related by Ibn Mâjah with a weak chain of narrators.

٩٣١ ــ وَعَنْ حَكِيمِ بْنِ حِزَامٍ – رَضِيَ اللَّهُ عَنْهُ – : «أَنَّهُ كَانَ يَشْتَرِطُ عَلَى الرَّجُلِ إِذَا أَعْطَـــاهُ مَالاً مُقَارَضَةً : أَنْ لاَ تَجْعَلَ مَالِي فِي كَبِدٍ رَطْبَةٍ ، وَلاَ تَحْمِلَهُ فِي بَحْرٍ ، وَلاَ تَـــنْزِلَ بِهِ فِي بَطْنِ مَسِيلٍ ، فَإِنْ فَعَلْتَ شَيْئًا مِنْ ذَلِكَ فَقَدْ ضَمِنْتَ مَالِي». رَوَاهُ الدَّارَقُطْنِيُّ ، وَرِجَالُهُ ثِقَاتٌ .

وَقَـــالَ مَالِكٌ فِي الْمُوَطَّإِ ، عَنِ الْعَلاَءِ بْنِ عَبْدِالرَّحْمنِ بْنِ يَعْقُوبَ عَنْ أَبِيهِ عَنْ جَدِّهِ : إِنَّهُ عَمِلَ فِي مَالٍ لِعُثْمَانَ عَلَى أَنَّ الرِّبْحَ بَيْنَهُمَا». وَهُوَ مَوْقُوفٌ صَحِيحٌ .

931. Hakîm bin Hizâm (RAA) narrated that he used to say that if he gives money to someone by way of *Muqâradah*; 'You should not trade with my money in living beings, do not transport it by sea, and do not come down with it into the bottom of a river bed. If you do any of these acts, you should guarantee to return me my money.' Related by Ad-Dâraqutnî. Mâlik said in al-Muwatta' on the authority of al-´Alâ' bin ´Abdur-Rahmân bin Ya´qûb on the authority of his father on the authority of his grandfather that he

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285- Which will be paid for at a later specified time. It is blessed as it gives the buyer a chance to pay for his goods(which he already received), when his money is available.

286- Giving someone money with which to do business, on the basis that the provider takes a percentage of the profit.

traded with some property belonging to 'Uthmân on the condition that the profit would be divided in halves between both of them. This is *Hadîth Sahîh and Mawqûf*

## بَـــابُ الْمُسَاقَـــاةِ وَالإِجَـــارَةِ

## *Chapter XV: Musâqâh (Watering grapes or dates for part of the crop) and Ijârah (A Contract for Hire or Lease )*

٩٣٢ ــ عَــنِ ابْــنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - : «أَنَّ رَسُولَ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَامَلَ أَهْلَ خَيْبَرَ بِشَطْرِ مَا يَخْرُجُ مِنْهَا مِنْ ثَمَرٍ أَوْ زَرْعٍ». مُتَّفَقٌ عَلَيْهِ .
وَفِــي رِوَايَــةٍ لَهُمَــا : فَسَأَلُوهُ أَنْ يُقِرَّهُمْ بِهَا عَلَى أَنْ يَكْفُوهُ عَمَلَهَا ، وَلَهُمْ نِصْفُ الــثَّمَرِ . فَقَــالَ لَهُمْ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «نُقِرُّكُمْ بِهَا عَلَى ذَلِكَ مَا شِئْنَا» ، فَقَرُّوا بِهَا ، حَتَّى أَجْلاَهُمْ عُمَرُ - رَضِيَ اللَّهُ عَنْهُ - .
وَلِمُسْــلِمٍ : «أَنَّ رَسُــولَ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ دَفَعَ إِلَى يَهُودِ خَيْبَرَ نَخْلَ خَيْبَرَ وَأَرْضَهَا ، عَلَى أَنْ يَعْتَمِلُوهَا مِنْ أَمْوَالِهِمْ ، وَلَهُمْ شَطْرُ ثَمَرِهَا».

932. Ibn 'Umar (RAA) narrated that the Messenger of Allâh ﷺ made a deal with the people of Khaibar (the Jews) that they would have half the fruit and vegetation of the land they cultivated (in return for their work on it).' Agreed upon.

In another version by Al-Bukhârî and Muslim,'They requested the Messenger of Allâh ﷺ to let them stay there on the condition that they would cultivate it and take half of the fruit. The Messenger of Allâh ﷺ told them, **"We will let you stay on this condition, as long as we wish."** They stayed there until 'Umar (RAA) deported them.

In a version by Muslim, 'The Messenger of Allâh ﷺ handed over to the Jews of Khaibar the palm-trees and its land on the condition that they should cultivate it with their own wealth (providing seeds etc..) and take half of its fruit.'

٩٣٣ ـــ وَعَـــنْ حَنْظَلَةَ بْنِ قَيْسٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : سَأَلْتُ رَافِعَ بْنَ خَدِيجٍ عَـــنْ كِرَاءِ الأَرْضِ بِالذَّهَبِ وَالْفِضَّةِ ، فَقَالَ : لاَ بَأْسَ بِهِ ، إِنَّمَا كَانَ النَّاسُ يُؤَاجِرُونَ عَلَـــى عَهْـــدِ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَلَى الْمَاذِيَانَاتِ ، وَأَقْبَالِ الْجَدَاوِلِ ، وَأَشْيَاءَ مِنَ الزَّرْعِ ، فَيَهْلِكُ هَذَا ، وَيَسْلَمُ هَذَا ، وَيَسْلَمُ هَذَا وَيَهْلِكُ هَذَا ، وَلَمْ يَكُنْ لِلـــنَّاسِ كِرَاءٌ إِلاَّ هَذَا ، فَلِذَلِكَ زَجَرَ عَنْهُ ، فَأَمَّا شَيْءٌ مَعْلُومٌ مَضْمُونٌ فَلاَ بَأْسَ بِهِ . رَوَاهُ مُسْلِمٌ .

وَفِيهِ بَيَانٌ لِمَا أُجْمِلَ فِي الْمُتَّفَقِ عَلَيْهِ مِنْ إِطْلاَقِ النَّهْيِ عَنْ كِرَاءِ الأَرْضِ .

933. Hanzalah bin Qais (RAA) narrated, 'I asked Râfi´ bin Khudaij about letting out land for gold and silver.' Râfi´ replied, 'There is no harm in doing that, people used to rent land during the lifetime of the Prophet ﷺ for what grew by the streamlets or by the beginning or end of water canals, or for something from the crops. But sometimes, one portion of the product would be destroyed while the other would be saved, whereas (on other occasions) this portion was saved and the other was destroyed and thus no rent was payable to the people (who let out the lands) but for this one (which was saved). It was due to this that he (the Holy Prophet ﷺ) prohibited it, unless the land was let out for something, which is well known and reliable to be paid(such as money or something of known value) there is no harm in it.' Related by Muslim.

٩٣٤ ـــ وَعَـــنْ ثَابِتِ بْنِ الضَّحَّاكِ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ نَهَى عَنِ الْمُزَارَعَةِ ، وَأَمَرَ بِالْمُؤَاجَرَةِ». رَوَاهُ مُسْلِمٌ أَيْضًا .

934. Thâbit bin ad-Dahhâk(RAA) narrated that the Messenger of Allâh ﷺ prohibited *Muzâra´ah*[287] and commanded that people should be employed for a known wage. Related by Muslim.

٩٣٥ ـــ وَعَنِ ابْنِ عَبَّاسٍ قَالَ : «احْتَجَمَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، وَأَعْطَى الَّذِي حَجَمَهُ أَجْرَهُ ، وَلَوْ كَانَ حَرَامًا لَمْ يُعْطِهِ». رَوَاهُ الْبُخَارِيُّ .

287- Sharecropping, which means to farm someone's land for a share of the harvest.

935. Ibn ´Abbâs (RAA) narrated, 'The Messenger of Allâh ﷺ had himself cupped and gave the one who cupped him his wages, and if this pay was prohibited he would not have given it to him.' Related by Al-Bukhârî.

٩٣٦ ــ وَعَنْ رَافِعِ بْنِ خَدِيجٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «كَسْبُ الْحَجَّامِ خَبِيثٌ». رَوَاهُ مُسْلِمٌ .

936. Râfi´ bin Khadîj (RAA) narrated that the Messenger of Allâh ﷺ said, '**The earnings of the cupper are impure**(but not prohibited)." Related by Muslim.

٩٣٧ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «قَالَ اللَّهُ - عَزَّ وَجَلَّ - : ثَلاَثَةٌ أَنَا خَصْمُهُمْ يَوْمَ الْقِيَامَةِ ، رَجُلٌ أَعْطَى بِي ثُمَّ غَدَرَ ، وَرَجُلٌ بَاعَ حُرًّا فَأَكَلَ ثَمَنَهُ ، وَرَجُلٌ اسْتَأْجَرَ أَجِيرًا ، فَاسْتَوْفَى مِنْهُ ، وَلَمْ يُعْطِهِ أَجْرَهُ». رَوَاهُ مُسْلِمٌ .

937. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, '**Allâh, Glorified be He said, "Three persons are My adversary on the Day of Resurrection: a man who gave a promise in My Name then did not carry it out; a person who sold a free man and took the price; and a man who hired a servant and after using his services, did not give him his wages."** Related by Muslim.

٩٣٨ ــ وَعَنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - : أَنَّ رَسُولَ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «إِنَّ أَحَقَّ مَا أَخَذْتُمْ عَلَيْهِ أَجْرًا كِتَابُ اللهِ». أَخْرَجَهُ الْبُخَارِيُّ .

938. Ibn ´Abbâs (RAA) narrated that the Messenger of Allâh ﷺ said,**"The thing which is most worthy for taking payment is the Book of Allâh."**[288] Related by Al-Bukhârî.

288- Taking payment for teaching others (children or otherwise) how to recite it, help in memorizing etc.

٩٣٩ ــ وَعَنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «أَعْطُوا الأَجِيرَ أَجْرَهُ قَبْلَ أَنْ يَجِفَّ عَرَقُهُ». رَوَاهُ ابْنُ مَاجَهْ .

939. Ibn ʿUmar (RAA) narrated that the Messenger of Allâh ﷺ said, **"Give a hired person his fees before his sweat dries up."** Related by Ibn Mâjah.

٩٤٠ ، ٩٤١ ــ وَفِي الْبَابِ عَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - ، عِنْدَ أَبِي يَعْلَى ، وَالْبَيْهَقِيِّ ، وَجَابِرٍ عِنْدَ الطَّبَرَانِيِّ ، وَكُلُّهَا ضِعَافٌ .

940, 941. Abû Uaʿlâ and al-Baihaqî transmitted something to the same effect as the above on the authority of Abû Hurairah and At-Tabarânî on the authority of Jâbir but they are all weak.

٩٤٢ ــ وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «مَنِ اسْتَأْجَرَ أَجِيرًا فَلْيُسَمِّ لَهُ أُجْرَتَهُ». رَوَاهُ عَبْدُالرَّزَّاقِ ، وَفِيهِ انْقِطَاعٌ ، وَوَصَلَهُ الْبَيْهَقِيُّ مِنْ طَرِيقِ أَبِي حَنِيفَةَ .

942. Abû Saʿîd al-Khudrî (RAA) narrated that the Messenger of Allâh ﷺ said, **"He who hires a person should inform him of his pay."** Related by ʿAbdur-Râziq but with a disconnected chain of narrators.

## بَابُ إِحْيَاءِ الْمَوَاتِ

## *Chapter XVI: Cultivation of a Barren Land (making it fertile)*

٩٤٣ ــ عَنْ عُرْوَةَ عَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - : أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «مَنْ عَمَّرَ أَرْضًا لَيْسَتْ لأَحَدٍ فَهُوَ أَحَقُّ بِهَا» ، قَالَ عُرْوَةُ : «وَقَضَى بِهِ عُمَرُ فِي خِلاَفَتِهِ». رَوَاهُ الْبُخَارِيُّ .

943. ʿUrwah narrated on the authority of ʿÂ'ishah (RAA) that 'Allâh's Messenger ﷺ said, **"He who cultivates land that does not belong to anybody has more right to it than anybody**

**else** (i.e. to own it)." ´Urwah said, "´Umar gave the same verdict during his Caliphate. Related by Al-Bukhârî.

٩٤٤ ــ وَعَــنْ سَعِيدِ بْنِ زَيْدٍ – رَضِيَ اللَّهُ عَنْهُ – ، عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «مَنْ أَحْيَا أَرْضًا مَيْتَةً فَهِيَ لَهُ». رَوَاهُ الثَّلاَثَةُ ، وَحَسَّنَهُ التِّرْمِذِيُّ ، وَقَالَ : رُوِيَ مُرْسَــلاً . وَهُوَ كَمَا قَالَ ، وَاخْتُلِفَ فِي صَحَابِيِّهِ ، فَقِيلَ : جَابِرٌ ، وَقِيلَ : عَائِشَةُ ، وَقِيلَ عَبْدُاللَّهِ بْنُ عُمَرَ ، وَالرَّاجِحُ الأَوَّلُ .

944. Sa´îd bin Zaid (RAA) narrated that the Messenger of Allâh ﷺ said, **"He who cultivates a barren land (makes it fertile), it belongs to him."** Related by the three Imâms. At-Tirmidhî graded it as ***Hasan***

٩٤٥ ــ وَعَنِ ابْنِ عَبَّاسٍ أَنَّ الصَّعْبَ بْنَ جَثَّامَةَ اللَّيْثِيَّ أَخْبَرَهُ أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لاَ حِمَى إِلاَّ لِلَّهِ وَلِرَسُولِهِ». رَوَاهُ الْبُخَارِيُّ .

945. Ibn ´Abbâs (RAA) narrated that as-Sa´b bin Jath-thâmah al-Laithî told him that the Prophet ﷺ said, **"No *Himâ*[289] except for Allâh and His Messenger ﷺ."** Related by Al-Bukhârî.

٩٤٦ ــ وَعَــنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ ضَرَرَ وَلاَ ضِرَارَ» رَوَاهُ أَحْمَدُ وَابْنُ مَاجَهْ .

946. Ibn ´Abbâs (RAA) narrated that the Messenger of Allâh

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289- A *Himâ* is an area in which grazing is only restricted –unjustly- to a certain person who prohibited others from entering it or letting their animals graze in it. They used to practice this in *Jâhiliyah* by letting a dog bark on a high land, and as far as his barking is heard, is considered a *Himâ* for this person. The Messenger of Allâh ﷺ prohibited this and only allowed it for the Imâm or the ruler of the Muslims, who can make an area of land as *Himâ* for a purpose, which he considers to be beneficent for the Muslims such as making it a *Himâ* for the grazing of the camels of *Zakâh*. This Hadîth prohibits taking a *Himâ* by anybody except as that which the Messenger of Allâh ﷺ took as *Himâ i.e.* it is only the right of the Imâm or ruler of the Muslims. ´Umar bin al-Khattâb (RAA) made places called ar-Rabadhâ and ash-Sharaf *Himâ* for grazing the animals of *Zakâh*.

ﷺ said,**"(One may) neither initiate harm**(to himself or towards others) **nor reciprocate** (their actions) **by harming** (them)**."** Related by Ahmad and Ibn Mâjah.

٩٤٧ ـــ وَلَهُ مِنْ حَدِيثِ أَبِي سَعِيدٍ مِثْلُهُ ، وَهُوَ فِي الْمُوَطَّإِ مُرْسَلٌ .

947. Mâlik transmitted a similar tradition on the authority of Abû Sa'îd.

٩٤٨ ـــ وَعَـــنْ سَمُرَةَ بْنِ جُنْدَبٍ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَـــلَّى اللَّـــهُ عَلَيْهِ وَسَلَّمَ : «مَنْ أَحَاطَ حَائِطًا عَلَى أَرْضٍ فَهِيَ لَهُ». رَوَاهُ أَبُو دَاوُدَ ، وَصَحَّحَهُ ابْنُ الْجَارُودِ .

948. Samurah bin Jundub(RAA) narrated that the Messenger of Allâh ﷺ said, **"Whoever surrounds a barren land with a wall, it belongs to him."** Related by Abû Dawûd. Ibn al-Gârûd graded it as *Sahîh*.

٩٤٩ ـــ وَعَنْ عَبْدِاللَّهِ بْنِ مُغَفَّلٍ أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «مَنْ حَفَرَ بِئْرًا فَلَهُ أَرْبَعُونَ ذِرَاعًا عَطَنًا لِمَاشِيَتِهِ». رَوَاهُ ابْنُ مَاجَهْ بِإِسْنَادٍ ضَعِيفٍ .

949. 'Abdullâh bin Mughaffal (RAA) narrated that the Messenger of Allâh ﷺ said, **"Whoever digs a well** (in a barren land which does not belong to anybody) **he is entitled to get forty cubits** (a cubit is 0.58 m in Egypt) **of this land as a resting place for his cattle near the water."** Related by Ibn Mâjah with a weak chain of narrators.

٩٥٠ ـــ وَعَـــنْ عَلْقَمَـــةَ بْنِ وَائِلٍ عَنْ أَبِيهِ : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَقْطَعَهُ أَرْضًا بِحَضْرَمَوْتَ». رَوَاهُ أَبُو دَاوُدَ ، وَالتِّرْمِذِيُّ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

950. 'Alqamah bin Wâ'il narrated on the authority of his father that the Messenger of Allâh ﷺ assigned him a piece of land in Hadramût. Related by Abû Dawûd and At-Tirmidhî.

٩٥١ ـــ وَعَنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - : أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَقْطَعَ الزُّبَيْرَ حُضْرَ فَرَسِهِ ، فَأَجْرَى الْفَرَسَ حَتَّى قَامَ ، ثُمَّ رَمَى بِسَوْطِهِ ، فَقَالَ : «أَعْطُوهُ حَيْثُ بَلَغَ السَّوْطُ». رَوَاهُ أَبُو دَاوُدَ ، وَفِيهِ ضَعْفٌ .

951. Ibn 'Umar (RAA) narrated that the Messenger of Allâh ﷺ assigned Az-Zubair the size of land his horse could cover at a run. So he made his horse run and when it stopped he threw down his whip. The Messenger of Allâh ﷺ said, **"Give him a piece of land up to the point where his whip has reached."** Related by Abû Dawûd but he rated it as weak.

٩٥٢ ـــ وَعَنْ رَجُلٍ مِنَ الصَّحَابَةِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : غَزَوْتُ مَعَ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، فَسَمِعْتُهُ يَقُولُ : «النَّاسُ شُرَكَاءُ فِي ثَلاثَةٍ : فِي الْكَلإِ ، وَالْمَاءِ ، وَالنَّارِ». رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَرِجَالُهُ ثِقَاتٌ .

952. A man from the Companions of the Prophet ﷺ said, 'I went on an expedition with the Prophet ﷺ, and I heard him say, **"People are partners in three (things): herbage, water and fire."** Related by Ahmad and Abû Dawûd with a reliable chain of narrators.

## بَابُ الْوَقْفِ

## *Chapter XVII: Waqf (Endowment)*

٩٥٣ ـــ عَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - : أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «إِذَا مَاتَ ابْنُ آدَمَ انْقَطَعَ عَنْهُ عَمَلُهُ إِلاَّ مِنْ ثَلاثٍ : صَدَقَةٍ جَارِيَةٍ ، أَوْ عِلْمٍ يُنْتَفَعُ بِهِ ، أَوْ وَلَدٍ صَالِحٍ يَدْعُو لَهُ». رَوَاهُ مُسْلِمٌ .

953. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"When a person dies,** (the reward of) **his deeds stops except for three: "A perpetual *Sadaqah (Sadaqah Jâriyah)*, knowledge from which benefit is** (continuously) **gained, or a pious child who is invoking Allâh for him."** Related by Muslim.

٩٥٤ ـــ وَعَـــنِ ابْـــنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : أَصَابَ عُمَرُ - رَضِيَ اللَّهُ عَـــنْهُ - أَرْضًـــا بِخَيْبَرَ ، فَأَتَى النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَسْتَأْمِرُهُ فِيهَا ، فَقَالَ : يَا رَسُـــولَ اللَّهِ ، إِنِّي أَصَبْتُ أَرْضًا بِخَيْبَرَ لَمْ أُصِبْ مَالاً قَطُّ ، هُوَ أَنْفَسُ عِنْدِي مِنْهُ . قَـــالَ : «إِنْ شِئْتَ حَبَسْتَ أَصْلَهَا وَتَصَدَّقْتَ بِهَا» . قَالَ : فَتَصَدَّقَ بِهَا عُمَرُ أَنَّهُ لاَ يُـــبَاعُ أَصْلُهَا ، وَلاَ يُورَثُ ، وَلاَ يُوهَبُ ، فَتَصَدَّقَ بِهَا فِي الْفُقَرَاءِ ، وَفِي الْقُرْبَى ، وَفِـــي الرِّقَابِ ، وَفِي سَبِيلِ اللَّهِ ، وَابْنِ السَّبِيلِ ، وَالضَّيْفِ ، لاَ جُنَاحَ عَلَى مَنْ وَلِيَهَا أَنْ يَـــأْكُلَ مِـــنْهَا بِالْمَعْـــرُوفِ ، وَيُطْعِمَ صَدِيقًا ، غَيْرَ مُتَمَوِّلٍ مَالاً . مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِمُسْلِمٍ .

وَفِي رِوَايَةٍ لِلْبُخَارِيِّ : «تَصَدَّقَ بِأَصْلِهَا ؛ لاَ يُبَاعُ وَلاَ يُوهَبُ ، وَلَكِنْ يُنْفَقُ ثَمَرُهُ».

954. Ibn 'Umar (RAA) narrated, ''Umar got some land in Khaibar and he went to the Prophet ﷺ to consult with him about it. He said, 'O Messenger of Allâh! I got some land in Khaibar more valuable and precious to me than any other property I ever had.' The Messenger of Allâh ﷺ said to him, **"If you wish you can give the land as endowment *(waqf)* and give its fruit in charity."** So, 'Umar gave it in charity as an endowment *(waqf)* on the condition that the land would not be sold, inherited or given away as a gift. Its yield would be given in charity to the poor, relatives, for the emancipation of slaves, for the Cause of Allâh (i.e. *Jihâd)*, to travelers and guests; and that there would be no harm if the guardian of the endowment ate from it according to his need but with moderation, and to give a friend food to eat provided he is not storing it (the fruit) for the future (i.e. he should not own any of its benefits).' Agreed upon and the wording is from Muslim.

A version by al-Bukhârî has: 'He gave it as *Sadaqah* that must not be sold (as it is not permitted to sell the *waqf*) or gifted but its yield must be spent (as *Sadaqah*)

٩٥٥ ـــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : «بَعَثَ رَسُولُ اللَّهِ صَلَّى اللَّـــهُ عَلَـــيْهِ وَسَلَّمَ عُمَرَ عَلَى الصَّدَقَةِ». الْحَدِيثَ . وَفِيهِ : «فَأَمَّا خَالِدٌ فَقَدْ احْتَبَسَ أَدْرَاعَهُ وَأَعْتَادَهُ فِي سَبِيلِ اللَّهِ». مُتَّفَقٌ عَلَيْهِ .

955. Abû Hurairah (RAA) narrated, 'The Messenger of Allâh

ﷺ sent 'Umar (RAA) to collect *Zakâh*...."**As for Khâlid he has retained his coats of mail and weapons** (as endowment) **to use them in Allâh's Cause.**" Agreed Upon.

## بَــابُ الْهِبَــةِ، وَالْعُمْــرَى، وَالرُّقْبَــى

## *Chapter XVIII: Gifts, 'Umrâ[290] (Life-Tenancy) and Ruqbâ*

٩٥٦ ــ عَــنِ الــنُّعْمَانِ بْنِ بَشِيرٍ أَنَّ أَبَاهُ أَتَى بِهِ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَــالَ : إِنِّــي نَحَلْــتُ ابْنِي هَذَا غُلاَمًا كَانَ لِي . فَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «أَكُلَّ وَلَدِكَ نَحَلْتَهُ مِثْلَ هَذَا ؟» فَقَالَ : لاَ . فَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ : «فَأَرْجِعْــهُ» . وَفِي لَفْظٍ : «فَانْطَلَقَ أَبِي إِلَى النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لِيُشْــهِدَهُ عَلَــى صَدَقَتِي ، فَقَالَ : «أَفَعَلْتَ هَذَا بِوَلَدِكَ كُلِّهِمْ ؟» قَالَ : لاَ . قَالَ : «اتَّقُوا اللَّهَ وَاعْدِلُوا بَيْنَ أَوْلاَدِكُمْ» ، فَرَجَعَ أَبِي فَرَدَّ تِلْكَ الصَّدَقَةَ . مُتَّفَقٌ عَلَيْهِ .
وَفِي رِوَايَةٍ لِمُسْلِمٍ قَالَ : «فَأَشْهِدْ عَلَى هَذَا غَيْرِي» ، ثُمَّ قَالَ : «أَيَسُرُّكَ أَنْ يَكُونُوا لَكَ فِي الْبِرِّ سَوَاءً ؟» قَالَ : بَلَى . قَالَ : «فَلاَ إِذَنْ».

956. An-Nu'mân bin Al-Bashîr narrated that his father took him to the Prophet ﷺ and said, 'I have given this son of mine a slave who belonged to me.' The Messenger of Allâh ﷺ asked him, **"Have you given all your sons the same** (gift)?" He replied, 'No.' The Prophet ﷺ said, **"Then take back your gift."**

In another version, 'My father hurried to the Prophet ﷺ to ask him to be witness on my gift. The Prophet ﷺ asked him, **"Have**

290- *'Umrâ* means that a man gives another man a house and says to him, 'I give it to you to live in as long as you live,' and is considered a gift. *Ruqbâ* literally means watching for, it means that a man gives a house to another man and says to him. 'If I die first, then it is yours, and if you die first it is mine.' So it is called *Ruqbâ* because each of them is watching for the death of the other. Therefore it is disliked as each of the two men hope for the death of the other, but Islâm stopped this practice as it considers *Ruqbâ* a permanent gift that will be inherited by the heirs of the one it is given to.

**you done the same with all your children** (i.e. have you given each of them the same gift?) He replied, 'No.' The Prophet ﷺ said, **"Fear Allâh and be just with your children.'** My father then returned and took back his gift.' Agreed upon.

In a narration by Muslim, the Messenger of Allâh ﷺ said, **"Let someone else be witness to this** (gift)." He then said to him, **"Would you like them to treat you well equally?"** Nu´mân said, 'Yes.' The Prophet ﷺ then said, **"Don't do it then."**

٩٥٧ ــ وَعَــنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا - قَالَ : قَالَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «الْعَائِدُ فِي هِبَتِهِ كَالْكَلْبِ يَقِيءُ ، ثُمَّ يَعُودُ فِي قَيْئِهِ». مُتَّفَقٌ عَلَيْهِ .
وَفِي رِوَايَةٍ لِلْبُخَارِيِّ : «لَيْسَ لَنَا مَثَلُ السَّوْءِ ، الَّذِي يَعُودُ فِي هِبَتِهِ كَالْكَلْبِ يَقِيءُ ثُمَّ يَرْجِعُ فِي قَيْئِهِ».

957. Ibn ´Abbâs (RAA) narrated that the Messenger of Allâh ﷺ said, **"The one who seeks to take back his gift** (which he has already given) **is like a dog which swallows its vomit."**[291] Agreed upon.

In a version by Al-Bukhârî, **"A bad example is not considered one of us. He who takes back his gift is like a dog that swallows its vomit.'**

٩٥٨ ــ وَعَــنِ ابْــنِ عُمَرَ وَابْنِ عَبَّاسٍ ، عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالاَ : «لاَ يَحِــلُّ لِرَجُلٍ مُسْلِمٍ أَنْ يُعْطِيَ الْعَطِيَّةَ ثُمَّ يَرْجِعَ فِيهَا ، إِلاَّ الْوَالِدُ فِيمَا يُعْطِي وَلَدَهُ». رَوَاهُ أَحْمَدُ ، وَالأَرْبَعَةُ ، وَصَحَّحَهُ التِّرْمِذِيُّ ، وَابْنُ حِبَّانَ ، وَالْحَاكِمُ .

958. Ibn ´Umar and Ibn ´Abbâs narrated that the Messenger of Allâh ﷺ said, **"It is not lawful for a Muslim to give a gift to someone and then take it back, except for a father concerning what he gives his son** (he can then take it back)." Related by the four Imâms and Ahmad. At-Tirmidhî, Ibn Hibbân and al-Hâkim graded it as *Sahîh*.

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291- This hadîth is proof that taking back a gift, which has already been given is absolutely prohibited except for the gift which is given by the parent to his / her child.

٩٥٩ ــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقْبَلُ الْهَدِيَّةَ ، وَيُثِيبُ عَلَيْهَا». رَوَاهُ الْبُخَارِيُّ .

959. 'Â'ishah (RAA) narrated, 'Allâh's Messenger ﷺ used to accept presents and used to also give presents in return.' Related by Al-Bukhârî.

٩٦٠ ــ وَعَنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا - قَالَ : وَهَبَ رَجُلٌ لِرَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ نَاقَةً ، فَأَثَابَهُ عَلَيْهَا ، فَقَالَ : «رَضِيتَ»؟ قَالَ : لاَ . فَزَادَهُ ، فَقَالَ : «رَضِيتَ»؟ قَالَ : لاَ . فَزَادَهُ ، فَقَالَ : «رَضِيتَ» ؟ قَالَ : نَعَمْ . رَوَاهُ أَحْمَدُ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

960. Ibn 'Abbâs (RAA) narrated, 'A man gave a she-camel as a present to the Messenger of Allâh ﷺ, so he gave him something in return for it and asked him, **"Are you satisfied?"** The man replied, 'No.' The Prophet ﷺ then gave him more and asked again, **"Are you satisfied?"** The man replied, 'No.' Again the Prophet ﷺ gave him more and asked him, **"Are you satisfied?"** The man replied, 'Yes.' Related by Ahmad. Ibn Hibbân graded it as *Sahîh*.

٩٦١ ــ وَعَنْ جَابِرٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «الْعُمْرَى لِمَنْ وُهِبَتْ لَهُ». مُتَّفَقٌ عَلَيْهِ .

وَلِمُسْلِمٍ : «أَمْسِكُوا عَلَيْكُمْ أَمْوَالَكُمْ وَلاَ تُفْسِدُوهَا ، فَإِنَّهُ مَنْ أَعْمَرَ عُمْرَى فَهِيَ لِلَّذِي أُعْمِرَهَا ، حَيًّا وَمَيِّتًا وَلِعَقِبِهِ».

وَفِي لَفْظٍ : «إِنَّمَا الْعُمْرَى الَّتِي أَجَازَهَا رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنْ يَقُولَ : هِيَ لَكَ وَلِعَقِبِكَ ، فَأَمَّا إِذَا قَالَ : هِيَ لَكَ مَا عِشْتَ فَإِنَّهَا تَرْجِعُ إِلَى صَاحِبِهَا».

وَلأَبِي دَاوُدَ وَالنَّسَائِيِّ : «لاَ تُرْقِبُوا ، وَلاَ تُعْمِرُوا ، فَمَنْ أُرْقِبَ شَيْئًا أَوْ أُعْمِرَ شَيْئًا ، فَهُوَ لِوَرَثَتِهِ».

961. Jâbir (RAA) narrated that the Messenger of Allâh ﷺ said, **'*al-'Umrâ* belongs to the one to whom it is given."** Agreed upon.

Muslim transmitted, **"Keep your property for yourselves and do not waste them away, for whoever gives *'Umrâ* (life-tenancy)to anyone, it belongs to the one to whom it is given both during his life, after his death and then to his descendants."**

In another version, "The *'Umrâ*, which the Messenger of Allâh ﷺ allowed (to be given to his descendants after his death) is the one in which the one (who is giving away the property) says: 'It is for you and for your descendants.' But if he says, 'It is for you as long as you live.' It is returned to its original owner.

In a version by Abû Dawûd and An-Nasâ'î,**'Do not give property to others by way of *Ruqbâ* and *'Umrâ* for if anyone is given either of them, the property goes to his heirs.'**

٩٦٢ ــ وَعَــنْ عُمَــرَ قَالَ : حَمَلْتُ عَلَى فَرَسٍ فِي سَبِيلِ اللّٰهِ ، فَأَضَاعَهُ صَاحِبُهُ ، فَظَنَنْتُ أَنَّهُ بَائِعُهُ بِرُخْصٍ ، فَسَأَلْتُ رَسُولَ اللّٰهِ صَلَّى اللّٰهُ عَلَيْهِ وَسَلَّمَ عَنْ ذَلِكَ فَقَالَ : «لاَ تَبْتَعْهُ ، وَإِنْ أَعْطَاكَهُ بِدِرْهَمٍ». الْحَدِيثَ . مُتَّفَقٌ عَلَيْهِ .

962. 'Umar (RAA) narrated, 'I gave a horse –in charity- to a man to use in *Jihâd* in the Cause of Allâh. The man did not look after it properly, and I thought he would sell it for a cheap price. I asked the Messenger of Allâh ﷺ about this (i.e. buying it myself).' The Prophet ﷺ said to him, **"You should not buy it, even if he gave it to you for a Dirham** (he should not take it back as he gave it in charity and it is considered as a gift)**."** Agreed upon.

٩٦٣ ــ وَعَنْ أَبِي هُرَيْرَةَ ، عَنِ النَّبِيِّ صَلَّى اللّٰهُ عَلَيْهِ وَسَلَّمَ قَالَ : «تَهَادُوا تَحَابُّوا». رَوَاهُ الْبُخَارِيُّ فِي الأَدَبِ الْمُفْرَدِ ، وَأَبُو يَعْلَى بِإِسْنَادٍ حَسَنٍ .

963. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"Exchange presents between yourselves as this creates love between you."** Related by Al-Bukhârî in his book *'al-Adab al-Mufrad.'* Abû Ya'lâ with a good chain of narrators.

٩٦٤ ــ وَعَــنْ أَنَــسٍ – رَضِــيَ اللّٰهُ عَنْهُ – قَالَ : قَالَ رَسُولُ اللّٰهِ صَلَّى اللّٰهُ عَلَيْهِ وَسَلَّمَ : «تَهَادُوا ؛ فَإِنَّ الْهَدِيَّةَ تَسُلُّ السَّخِيمَةَ». رَوَاهُ الْبَزَّارُ بِإِسْنَادٍ ضَعِيفٍ .

964. Anas (RAA) narrated that the Messenger of Allâh ﷺ said

**"Exchange presents between yourselves as this extra-cts grudge gently**(from your hearts)." Related by Al-Bazzâr with a weak chain of narrators.

٩٦٥ ــ وَعَــنْ أَبِي هُرَيْرَةَ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «يَا نِسَاءَ الْمُسْلِمَاتِ : لاَ تُحَقِّرَنَّ جَارَةٌ لِجَارَتِهَا ، وَلَوْ فِرْسِنَ شَاةٍ». مُتَّفَقٌ عَلَيْهِ .

965. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"O Muslim women! None of you should look down upon the present sent by her (female) neighbor even if it were the trotters of a sheep."** Agreed upon.

٩٦٦ ــ وَعَنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : « مَــنْ وَهَــبَ هِبَةً فَهُوَ أَحَقُّ بِهَا مَا لَمْ يُثَبْ عَلَيْهَا » . رَوَاهُ الْحَاكِمُ وَصَحَّحَهُ ، وَالْمَحْفُوظُ مِنْ رِوَايَةِ ابْنِ عُمَرَ عَنْ عُمَرَ قَوْلُهُ .

966. Ibn 'Umar (RAA) narrated that the Messenger of Allâh ﷺ said, **"If anyone gives away a gift he is the one who has most right to it as long as he was not given anything in return."** Related by al-Hâkim who graded it as Sahîh..

## بَــابُ اللُّقَطَــةِ

## *Chapter XIX: Luqatah (Lost and found items)*

٩٦٧ ــ عَــنْ أَنَسٍ قَالَ : مَرَّ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بِتَمْرَةٍ فِي الطَّرِيقِ فَقَالَ : «لَوْلاَ أَنِّي أَخَافُ أَنْ تَكُونَ مِنَ الصَّدَقَةِ لأَكَلْتُهَا». مُتَّفَقٌ عَلَيْهِ .

967. Anas (RAA) narrated that the Messenger of Allâh ﷺ passed by a fallen date in the street and said, **"Were it not for my doubt that this might have been given in charity, I would have eaten it."**[292] Agreed upon.

292- It is well known that the Messenger of Allâh ﷺ does not eat out of charity but would only eat what is given to him as a present.

٩٦٨ ــ وَعَــنْ زَيْــدِ بْنِ خَالِدٍ الْجُهَنِيِّ قَالَ : جَاءَ رَجُلٌ إِلَى النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَسَأَلَهُ عَنِ اللُّقَطَةِ ، فَقَالَ : «اعْرِفْ عِفَاصَهَا وَوِكَاءَهَا ، ثُمَّ عَرِّفْهَا سَنَةً ، فَإِنْ جَاءَ صَاحِبُهَا وَإِلاَّ فَشَأْنُكَ بِهَا» ، قَالَ : فَضَالَّةُ الْغَنَمِ ؟ ، قَالَ : «هِيَ لَكَ أَوْ لأَخِيكَ أَوْ لِلذِّئْبِ» ، قَالَ : فَضَالَّةُ الإِبِلِ ؟ قَالَ : «مَا لَكَ وَلَهَا ؟ مَعَهَا سِقَاؤُهَا وَحِذَاؤُهَا ، تَرِدُ الْمَاءَ ، وَتَأْكُلُ الشَّجَرَ ، حَتَّى يَلْقَاهَا رَبُّهَا». مُتَّفَقٌ عَلَيْهِ .

968. Zaid bin Khâlid al-Juhanî narrated, 'A man came to the Prophet ﷺ and asked him about *al-Luqatah* (lost items found on the ground and picked up by someone). The Prophet ﷺ said, **"determine its container, and the string with which it is tied, and then announce publicly for a year that it has been found. If the owner shows up, give it to him, otherwise use it as you like** (as it has entered his possession). The man again asked, 'What about a lost sheep?' The Messenger of Allâh ﷺ said, **"It is for you, your brother or a wolf."** The man again said, 'What about a lost camel?" The Messenger of Allâh ﷺ said, **"Why should you take it as it has got its water container** (its stomach),**and its hooves and it can reach the places of water and can eat from the trees until its owner finds it?"** Agreed upon.

٩٦٩ ــ وَعَــنْهُ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ آوَى ضَالَّةً فَهُوَ ضَالٌّ ، مَا لَمْ يُعَرِّفْهَا». رَوَاهُ مُسْلِمٌ .

969. Zaid narrated that the Messenger of Allâh ﷺ said, **"He who keeps a stray property (*luqatah*), he himself has gone astray, unless he announces that he found it."** Related by Muslim.

٩٧٠ ــ وَعَــنْ عِيَاضِ بْنِ حِمَارٍ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَــلَّى اللَّــهُ عَلَيْهِ وَسَلَّمَ : «مَنْ وَجَدَ لُقَطَةً فَلْيُشْهِد ذَوَيْ عَدْلٍ ، وَلْيَحْفَظْ عِفَاصَهَا وَوِكَاءَهَــا ، ثُمَّ لاَ يَكْتُمْ ، وَلاَ يُغَيِّبْ ، فَإِنْ جَاءَ رَبُّهَا فَهُوَ أَحَقُّ بِهَا ، وَإِلاَّ فَهُوَ مَالُ اللَّــهِ يُؤْتِــيهِ مَنْ يَشَاءُ». رَوَاهُ أَحْمَدُ وَالأَرْبَعَةُ إِلاَّ التِّرْمِذِيَّ ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ ، وَابْنُ الْجَارُودِ ، وَابْنُ حِبَّانَ .

970. ´Iyâd bin Himâr (RAA) narrated that the Messenger of Allâh ﷺ said,**"He who finds a *luqatah* should call two trusty witnesses** (to show them what he found) **determine its container, and the string with which it is tied, and he should not conceal it or cover it up. If its owner shows up he is the one who is entitled to take it back, otherwise it is the property of Allâh, which He gives to whom He wishes."** Related by Ahmad and the four Imâms except for At-Tirmidhî. Ibn Khuzaimah, Ibn al-Gârûd and Ibn Hibbân graded it as *Sahîh.*

٩٧١ ـــ وَعَنْ عَبْدِالرَّحْمَنِ بْنِ عُثْمَانَ التَّيْمِيِّ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ نَهَى عَنْ لُقَطَةِ الْحَاجِّ». رَوَاهُ مُسْلِمٌ .

971. ´Abdur Rahmân bin ´Uthmân At-Taimî narrated that the Messenger of Allâh ﷺ prohibited picking up the *luqatah* of the pilgrims.' Related by Muslim.

٩٧٢ ـــ وَعَنِ الْمِقْدَامِ بْنِ مَعْدِ يَكْرِبَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «أَلاَ لاَ يَحِلُّ ذُو نَابٍ مِنَ السِّبَاعِ ، وَلاَ الْحِمَارُ الأَهْلِيُّ ، وَلاَ اللُّقَطَةُ مِنْ مَالِ مُعَاهِدٍ إِلاَّ أَنْ يَسْتَغْنِيَ عَنْهَا». رَوَاهُ أَبُو دَاوُدَ .

972. Al-Miqdâm bin Ma´diakrib (RAA) narrated that the Messenger of Allâh ﷺ said, **"It is not lawful to eat predatory wild animals that prey with fangs, or a domestic ass, and it is not lawful to keep the *luqatah* of one who has been given a covenant (by Muslims) unless he disposes of it."** Related by Abû Dawûd.

## بَابُ الْفَرَائِضِ

## *Chapter XX: Inheritance*

٩٧٣ ـــ عَنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «أَلْحِقُوا الْفَرَائِضَ بِأَهْلِهَا ، فَمَا بَقِيَ فَهُوَ لأَوْلَى رَجُلٍ ذَكَرٍ». مُتَّفَقٌ عَلَيْهِ .

973. Ibn ´Abbâs (RAA) narrated that the Messenger of Allâh

ﷺ said, **"Give the shares ordained** (by Allâh) **to their rightful heirs. Whatever is left after that goes to the nearest male heir** (to the deceased)." Agreed upon.

٩٧٤ ــ وَعَــنْ أُسَامَةَ بْنِ زَيْدٍ - رَضِيَ اللَّهُ عَنْهُ - : أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لاَ يَرِثُ الْمُسْلِمُ الْكَافِرَ ، وَلاَ يَرِثُ الْكَافِرُ الْمُسْلِمَ». مُتَّفَقٌ عَلَيْهِ .

974. Usâmah bin Zaid (RAA) narrated that the Messenger of Allâh ﷺ said, **"A Muslim is not to inherit a disbeliever and a disbeliever is not to inherit a Muslim."** Agreed upon.

٩٧٥ ــ وَعَــنِ ابْــنِ مَسْــعُودٍ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - فِي بِنْتٍ ، وَبِنْتِ ابْنٍ ، وَأُخْــتٍ ، فَقَضَى النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لِلإِبْنَةِ النِّصْفُ ، وَلإِبْنَةِ الإِبْنِ السُّدُسُ - تَكْمِلَةَ الثُّلُثَيْنِ - وَمَا بَقِيَ فَلِلأُخْتِ . رَوَاهُ الْبُخَارِيُّ .

975. Ibn Mas´ûd (RAA) narrated concerning the inheritance of a daughter, a son's daughter (granddaughter) and a sister, surviving the deceased. The Prophet ﷺ ordained that the daughter's share is one half, the son's daughter is one-sixth and whatever remains is the sister's." Related by Al-Bukhârî.

٩٧٦ ــ وَعَــنْ عَبْدِاللَّهِ بْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّــهُ عَلَــيْهِ وَسَلَّمَ : «لاَ يَتَوَارَثُ أَهْلُ مِلَّتَيْنِ» . رَوَاهُ أَحْمَدُ وَالأَرْبَعَةُ ، وَالتِّرْمِذِيُّ ، وَأَخْرَجَهُ الْحَاكِمُ بِلَفْظِ أُسَامَةَ ، وَرَوَى النَّسَائِيُّ حَدِيثَ أُسَامَةَ بِهَذَا اللَّفْظِ .

976. ´Abdullâh Ibn ´Umar (RAA) narrated that the Messenger of Allâh ﷺ said,**"The followers of two different religions may not inherit from each other."** Related by Ahmad, the four Imâms and At-Tirmidhî.

٩٧٧ ــ وَعَــنْ عِمْرَانَ بْنِ حُصَيْنٍ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : جَاءَ رَجُلٌ إِلَى النَّــبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ : إِنَّ ابْنَ ابْنِي مَاتَ ، فَمَا لِي مِنْ مِيرَاثِهِ ؟ فَقَالَ : «لَكَ السُّدُسُ» ، فَلَمَّا وَلَّى دَعَاهُ فَقَالَ : «لَكَ سُدُسٌ آخَرُ». فَلَمَّا وَلَّى دَعَاهُ فَقَالَ :

«إِنَّ السُّدُسَ الآخَرَ طُعْمَةٌ» . رَوَاهُ أَحْمَدُ وَالأَرْبَعَةُ ، وَصَحَّحَهُ التِّرْمِذِيُّ ـــ وَهُوَ مِنْ رِوَايَةِ الْحَسَنِ الْبَصْرِيِّ عَنْ عِمْرَانَ ، وَقِيلَ : إِنَّهُ لَمْ يَسْمَعْ مِنْهُ .

977. 'Imrân bin Husain (RAA) narrated, 'A man came to the Prophet ﷺ and said, 'My son's son has died. What is my share from his inheritance?' The Messenger of Allâh ﷺ said, **"You get one sixth."** When the man turned away, the Messenger of Allâh ﷺ called him and said, **"You are entitled to another sixth."**[293]

When the man turned away, the Messenger of Allâh ﷺ called him and said, **"The other sixth is an extra allowance** (to what is ordained for you)." Related by Ahmad and the four Imâms. At-Tirmidhî graded it as *Sahîh*.

٩٧٨ ـــ وَعَنِ ابْنِ بُرَيْدَةَ عَنْ أَبِيهِ – رَضِيَ اللَّهُ عَنْهُمَا – : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ جَعَلَ لِلْجَدَّةِ السُّدُسَ إِذَا لَمْ يَكُنْ دُونَهَا أُمٌّ». رَوَاهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ ، وَابْنُ الْجَارُودِ ، وَقَوَّاهُ ابْنُ عَدِيٍّ .

978. Ibn Buraidah (RAA) narrated on the authority of his father (RAA) that the Messenger of Allâh ﷺ appointed a sixth to the grandmother if no mother was left to inherit with her."Related by Abû Dawûd and An-Nasâ'î. Ibn Khuzaimah and Ibn al-Gârûd graded it as *Sahîh*

293- The deceased in this case left two daughters and his father surviving him. The two daughters are entitled to 2/3 of the estate. The remaining third will be given to the grandfather, but his prescribed share is only one sixth and the other sixth will be given back to him as there are no other heirs. In this case the grandfather is considered to be *'Asabah*, which refers to the relatives of the deceased on his father's side. They are entitled to take the rest of the estate after the fixed (prescribed) shares are distribu-ted, which applies to this case. The Messenger of Allâh ﷺ wanted to teach the man that his prescribed share is only one sixth and not one third. That is why he gave him one sixth when he asked about his inheritance, and then called him again and told him that this other sixth is an extra amount to his share as it is given back to him for being *'Asabah* in the absence of any other heirs.

٩٧٩ ــ وَعَنِ الْمِقْدَامِ بْنِ مَعْدِ يَكْرِبَ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «الْخَالُ وَارِثُ مَنْ لاَ وَارِثَ لَهُ». أَخْرَجَهُ أَحْمَدُ ، وَالأَرْبَعَةُ سِوَى التِّرْمِذِيِّ ، وَحَسَّنَهُ أَبُو زُرْعَةَ الرَّازِيُّ ، وَصَحَّحَهُ الْحَاكِمُ ، وَابْنُ حِبَّانَ .

979. Al-Miqdâm bin Ma´diakrib (RAA) narrated that the Messenger of Allâh ﷺ said, **"The maternal uncle is the inheritor of those who have no (standard) heirs."**[294] Related by Ahmad and the four Imâms except for At-Tirmidhî. Abû Zar´ah ar-Râzî graded it as *Hasan*, but al-Hâkim and Ibn Hibbân graded it as *Sahîh*.

٩٨٠ ــ وَعَــنْ أَبِــي أُمَامَــةَ بْنِ سَهْلٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : كَتَبَ عُمَرُ إِلَى أَبِــي عُبَــيْدَةَ - رَضِــيَ اللَّهُ عَنْهُمَا - : أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «اللَّهُ وَرَسُولُهُ مَوْلَى مَنْ لاَ مَوْلَى لَهُ ، وَالْخَالُ وَارِثُ مَنْ لاَ وَارِثَ لَهُ». رَوَاهُ أَحْمَدُ وَالأَرْبَعَةُ سِوَى أَبِي دَاوُدَ ، وَحَسَّنَهُ التِّرْمِذِيُّ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

980. Abû Umâmah bin Sahl (RAA) narrated, ''Umar wrote to Abû ´Ubaidah (RAA) that the Messenger of Allâh ﷺ said, **"Allâh and His Messenger are the guardians of the one who does not have a guardian; and a maternal uncle inherits from the one who does not have any (standard) heirs."** Related by Ahmad and the four Imâms except for Abû Dawûd. At-Tirmidhî graded it as *Hasan* and Ibn Hibbân graded it as *Sahîh*.

٩٨١ ــ وَعَــنْ جَابِرٍ - رَضِيَ اللَّهُ عَنْهُ - ، عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «إِذَا اسْتَهَلَّ الْمَوْلُودُ وَرِثَ». رَوَاهُ أَبُو دَاوُدَ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

981. Jâbir (RAA) narrated that the Messenger of Allâh ﷺ said, **"As soon as the infant cries**[295] (at the moment of birth) **it is entitled to inherit."** Related by Abû Dawûd. Ibn Hibbân graded it as *Sahîh*.

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294- In this case the deceased has no *´Asabah* (relatives on his father's side) and no other heirs who are entitled to obligatory shares.

295- When the heir of someone who died is expecting a child, the estate is not to be divided until the child is born.

٩٨٢ ــ وَعَــنْ عَمْرِو بْنِ شُعَيْبٍ ، عَنْ أَبِيهِ ، عَنْ جَدِّهِ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّــهُ عَلَيْهِ وَسَلَّمَ : «لَيْسَ لِلْقَاتِلِ مِنَ الْمِيرَاثِ شَيْءٌ». رَوَاهُ النَّسَائِيُّ ، وَالدَّارَقُطْنِيُّ ، وَقَوَّاهُ ابْنُ عَبْدِالْبَرِّ ، وَأَعَلَّهُ النَّسَائِيُّ ، وَالصَّوَابُ وَقْفُهُ عَلَى عَمْرٍو .

982. ´Amro bin Shu´aib narrated on the authority of his father on the authority of his grandfather that the Messenger of Allâh ﷺ said, **"A killer does not receive (a share of the) inheritance** (of the one he killed)." Related by An-Nasâ'î and Ad-Dâraqutnî.

٩٨٣ ــ وَعَــنْ عُمَــرَ بْنِ الْخَطَّابِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ : « مَا أَحْرَزَ الْوَالِدُ أَوِ الْوَلَدُ ، فَهُوَ لِعَصَبَتِهِ مَنْ كَانَ » . رَوَاهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ ، وَابْنُ مَاجَهْ ، وَصَحَّحَهُ ابْنُ الْمَدِينِي ، وَابْنُ عَبْدِالْبَرِّ .

983. ´Umar bin al-Khattâb (RAA) narrated, 'I heard the Messenger of Allâh ﷺ say, **"Whatever rights gained by the father or child** (meaning *al-Walâ'*[296]) **are to be transferred to his *´Asabah*** (relatives on his father's side) **regardless of their degree of kinship**[297] (meaning that loyalty is not inherited and does not follow the rules of inheritance)."Related by Abû Dawûd, An-Nasâ'î and Ibn Mâjah. Ibn al-Madînî and Ibn ´Abdul Barr graded it as Sahîh.

٩٨٤ ــ وَعَــنْ عَبْدِاللَّهِ بْنِ عُمَرَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَــلَّى اللَّــهُ عَلَــيْهِ وَسَلَّمَ : «الْوَلاَءُ لُحْمَةٌ كَلُحْمَةِ النَّسَبِ ، لاَ يُبَاعُ وَلاَ يُوهَبُ».

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296- *Walâ'* refers to the right of inheriting the property of a manumitted slave after his death. The one who has the right to inherit him is the one who manumitted him. In *Jâhiliyah;* before Islâm, they used to sell this *Walâ'* or give it as a gift but Islâm prohibited this.

297- Most scholars are of the opinion that *Walâ'* is not part of the inheritance of the deceased. For example if a man manumitted a slave, and he has two sons, and one of his sons had a child and then died. If the manumitter dies, the *Walâ'* of the manumitted slave (his inheritance) goes to his son alone and is not to be shared between the son and the grandson as would be in the case of inheritance. This means that *Walâ'* is the right of the closest *´Asabah* of the deceased and not to be distributed as part of his inheritance.

رَوَاهُ الْحَاكِمُ مِنْ طَرِيقِ الشَّافِعِيِّ عَنْ مُحَمَّدِ بْنِ الْحَسَنِ ، عَنْ أَبِي يُوسُفَ ، وَصَحَّحَهُ ابْنُ حِبَّانَ ، وَأَعَلَّهُ الْبَيْهَقِيُّ .

984. 'Abdullâh Ibn 'Umar (RAA) narrated that the Messenger of Allâh ﷺ said, **"The *Walâ'* (of a manumitted slave) is considered as one's lineage, not to be sold or donated**[298] (refer to hadîth no. 816)." Related by al-Hâkim through Ash-Shâfi'î on the authority of Muhammad bin Al-Hasan, on the authority of Abî Yûsuf. Ibn Hibbân graded it as *Sahîh*.

٩٨٥ ــ وَعَنْ أَبِي قِلاَبَةَ ، عَنْ أَنَسٍ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «أَفْرَضُكُمْ زَيْدُ بْنُ ثَابِتٍ». أَخْرَجَهُ أَحْمَدُ ، وَالأَرْبَعَةُ سِوَى أَبِي دَاوُدَ ، وَصَحَّحَهُ التِّرْمِذِيُّ ، وَابْنُ حِبَّانَ ، وَالْحَاكِمُ ، وَأُعِلَّ بِالإِرْسَالِ .

985. Abû Qalâbah narrated on the authority of Anas (RAA) that the Messenger of Allâh ﷺ said, **"The one who is most knowledgeable of the laws of inheritance is Zaid bin Thâbit."** Related by Ahmad and the four Imâms except Abû Dawûd. At-Tirmidhî, Ibn Hibbân and al-Hâkim graded it as *Sahîh*.

## بَابُ الْوَصَايَا

## *Chapter XXI: Wills (Bequests)*

٩٨٦ ــ عَنِ ابْنِ عُمَرَ – رَضِيَ اللَّهُ عَنْهُمَا – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَا حَقُّ امْرِىءٍ مُسْلِمٍ لَهُ شَيْءٌ يُرِيدُ أَنْ يُوصِيَ فِيهِ ، يَبِيتُ لَيْلَتَيْنِ ، إِلاَّ وَوَصِيَّتُهُ مَكْتُوبَةٌ عِنْدَهُ». مُتَّفَقٌ عَلَيْهِ .

986. 'Abdullâh Ibn 'Umar (RAA) narrated that the Messenger of Allâh ﷺ said, **"It is not rightful for a Muslim, if he has anything to bequeath, that he sleeps two consecutive nights without having with him his written will."** Agreed upon.

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298- This hadîth again assures the fact that *Walâ'* is like the lineage of a person. The inheritance still goes to the one who paid the money to the slave and is not to be sold or donated as soon as the slave dies, as the link to the manumitter still holds.

٩٨٧ ـــ وَعَنْ سَعْدِ بْنِ أَبِي وَقَّاصٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قُلْتُ يَا رَسُولَ اللَّهِ ، أَنَا ذُو مَالٍ ، وَلاَ يَرِثُنِي إِلاَّ ابْنَةٌ لِي وَاحِدَةٌ ، أَفَأَتَصَدَّقُ بِثُلُثَيْ مَالِي ؟ قَالَ : «لاَ». قُلْتُ : أَفَأَتَصَدَّقُ بِشَطْرِهِ ؟ قَالَ : «لاَ». قُلْتُ : أَفَأَتَصَدَّقُ بِثُلُثِهِ ؟ قَالَ : «الثُّلُثُ ، وَالثُّلُثُ كَثِيرٌ ، إِنَّكَ إِنْ تَذَرْ وَرَثَتَكَ أَغْنِيَاءَ ، خَيْرٌ مِنْ أَنْ تَذَرَهُمْ عَالَةً يَتَكَفَّفُونَ النَّاسَ». مُتَّفَقٌ عَلَيْهِ .

987. Sa´d bin Abî Waqqâs (RAA) narrated, 'I said, 'O Messenger of Allâh! I have a lot of money, and no heirs but my daughter. Shall I give (bequeath) two thirds of my wealth as charity?' He ﷺ said, **"No."** I said, 'Then half of it?' He ﷺ replied, **"No."** I said, 'Then one third of my wealth?' He ﷺ replied,**"Yes one third; and even one third is too much. Indeed, to leave your inheritors rich** (after your death) **is better than leaving them as a burden begging from people."** Agreed upon.

٩٨٨ ـــ وَعَنْ عَائِشَةَ أَنَّ رَجُلاً أَتَى النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ : يَا رَسُولَ اللَّهِ ، إِنَّ أُمِّي افْتُلِتَتْ نَفْسُهَا ، وَلَمْ تُوصِ ، وَأَظُنُّهَا لَوْ تَكَلَّمَتْ تَصَدَّقَتْ ، أَفَلَهَا أَجْرٌ إِنْ تَصَدَّقْتُ عَنْهَا ؟ قَالَ : «نَعَمْ». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِمُسْلِمٍ .

988. ´Â'ishah (RAA) narrated, "A man came to the Messenger of Allâh ﷺ and said, 'O Messenger of Allâh! My mother died suddenly and did not write a will, and I believe that if she had been able to speak (now), she would have given it in charity. Would she be rewarded if I pay the charity on her behalf?' The Messenger of Allâh ﷺ said,**"Yes."**Agreed upon and the wording is from Muslim.

٩٨٩ ـــ وَعَنْ أَبِي أُمَامَةَ الْبَاهِلِيِّ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ : «إِنَّ اللَّهَ قَدْ أَعْطَى كُلَّ ذِي حَقٍّ حَقَّهُ ، فَلاَ وَصِيَّةَ لِوَارِثٍ». رَوَاهُ أَحْمَدُ ، وَالأَرْبَعَةُ إِلاَّ النَّسَائِيَّ ، وَحَسَّنَهُ أَحْمَدُ ، وَالتِّرْمِذِيُّ ، وَقَوَّاهُ ابْنُ خُزَيْمَةَ ، وَابْنُ الْجَارُودِ .

989. Abû Umâmah al-Bâhilî (RAA) narrated, 'I heard the Messenger of Allâh ﷺ say, **"Allâh has given every one who is**

**entitled to a right** (in inheritance) **what is due to him, no will may be made to a** (standard) **heir."** Related by Ahmad and the four Imâms except for An-Nasâ'î. Ahmad and at-Tirmidhî graded it as *Hasan*. Ibn Khuzaimah and Ibn al-Gârûd graded it as a strong *Hadîth*.

٩٩٠ ـــ وَرَوَاهُ الدَّارَقُطْنِيُّ مِنْ حَدِيثِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - ، وَزَادَ فِي آخِرِهِ : «إِلاَّ أَنْ يَشَاءَ الْوَرَثَةُ». وَإِسْنَادُهُ حَسَنٌ .

990. Ad-Dâraqutnî transmitted a similar narration on the authority of Ibn 'Abbâs (RAA) and added the following, **"Unless the heirs agree to it** (i.e. making a will for an heir)**."** Its chain of narrators is *Hasan*.

٩٩١ ـــ وَعَـــنْ مُعَاذِ بْنِ جَبَلٍ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ النَّبِيُّ صَلَّى اللَّهُ عَلَـــيْهِ وَسَـــلَّمَ : «إِنَّ اللَّـــهَ تَصَـــدَّقَ عَلَيْكُمْ بِثُلُثِ أَمْوَالِكُمْ عِنْدَ وَفَاتِكُمْ زِيَادَةً فِي حَسَنَاتِكُمْ». رَوَاهُ الدَّارَقُطْنِيُّ .

991. Mu'âdh bin Jabal (RAA) narrated that the Messenger of Allâh ﷺ said, **"Allâh gave you as a charity[299] a third of your property when you are about to die, as an addition to your good deeds."** Related by Ad-Dâraqutnî.

٩٩٢ ـــ وَأَخْرَجَهُ أَحْمَدُ ، وَالْبَزَّارُ مِنْ حَدِيثِ أَبِي الدَّرْدَاءِ .

992. Ahmad and al-Bazzâr transmitted it on the authority of Abû Ad-Dardâ'.

٩٩٣ ـــ وَابْـــنُ مَاجَهْ مِنْ حَدِيثِ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - . وَكُلُّهَا ضَعِيفَةٌ ، لَكِنْ قَدْ يُقَوِّي بَعْضُهَا بَعْضًا ، وَاللَّهُ أَعْلَمُ .

993. Ibn Mâjah transmitted the same narration on the authority of Abû Hurairah (RAA) and they are all weak traditions but may support each other, and Allâh knows best.

299- He gave you permission to make a will within the third of your property as charity, when you are about to die.

# بَـــابُ الْـــوَدِيـــعَـــةِ

## *Chapter XXII: Wadî´ah (Trusts Deposited for Safekeeping)*

٩٩٤ ــ عَــنْ عَمْرِو بْنِ شُعَيْبٍ عَنْ أَبِيهِ عَنْ جَدِّهِ - رَضِيَ اللَّهُ عَنْهُمَا - عَنِ النَّبِيِّ صَــلَّى اللَّــهُ عَلَــيْهِ وَسَــلَّمَ قَالَ : «مَنْ أُودِعَ وَدِيعَةً فَلَيْسَ عَلَيْهِ ضَمَانٌ». أَخْرَجَهُ ابْنُ مَاجَهْ ، وفي إِسْنَادِهِ ضَعْفٌ .

994. ´Amro bin Shu´aib narrated on the authority of his father on the authority of his grandfather (RAA) that the Messenger of Allâh ﷺ said, **"If anyone is given an article as a trust, he does not have to pay for its loss or destruction** (unless he misuses it)."Related by Ibn Mâjah with a weak chain of narrators.

# كِتَابُ النِّكَاحِ

# Book VIII: Marriage

## *Chapter I*

٩٩٥ ــ عَنْ عَبْدِاللّٰه بْنِ مَسْعُودٍ - رَضِيَ اللّٰهُ تَعَالَى عَنْهُ - قَالَ : قَالَ لَنَا رَسُولُ اللّٰه صَلَّى اللّٰهُ عَلَيْهِ وَسَلَّمَ : «يَا مَعْشَرَ الشَّبَابِ ، مَنِ اسْتَطَاعَ مِنْكُمُ الْبَاءَةَ فَلْيَتَزَوَّجْ ، فإِنَّهُ أغَضُّ لِلْبَصَرِ ، وَأَحْصَنُ لِلْفَرْجِ ، وَمَنْ لَمْ يَسْتَطِعْ فَعَلَيْهِ بِالصَّوْمِ ، فَإِنَّهُ لَهُ وِجَاءٌ». مُتَّفَقٌ عَلَيْهِ .

995. Ibn Mas´ûd (RAA) narrated that the Messenger of Allâh ﷺ said to us, **"O Young people! Whoever can marry among you, should marry, for that will help him lower his gaze and protect his chastity. Whoever is not able to marry is recommended to fast and that will be his shield** (as it diminishes his sexual energy)." Agreed upon.

٩٩٦ ــ وَعَنْ أَنَسِ بْنِ مَالِكٍ - رَضِيَ اللّٰهُ عَنْهُ - أَنَّ النَّبِيَّ صَلَّى اللّٰهُ عَلَيْهِ وَسَلَّمَ حَمِدَ اللّٰهَ وَأَثْنَى عَلَيْهِ ، وَقَالَ : «لَكِنِّي أَنَا أُصَلِّي ، وَأَنَامُ ، وَأَصُومُ ، وَأُفْطِرُ ، وَأَتَزَوَّجُ النِّسَاءَ ، فَمَنْ رَغِبَ عَنْ سُنَّتِي فَلَيْسَ مِنِّي». مُتَّفَقٌ عَلَيْهِ .

996. Anas Ibn Mâlik (RAA) narrated that the Messenger of Allâh ﷺ praised and exalted Allâh and said, **"..Yet I pray (night prayer) and sleep, fast and break my fast, and I** (also) **marry women. Whoever does not follow my *Sunnah* is not from me** (nor one of my followers)."[300] Agreed upon.

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300- The Messenger of Allâh ﷺ said this to the three men who asked about how he worshipped Allâh, and when they were told, they thought their own worship was insufficient and one of them decided to offer prayer throughout the night forever, the second said that he will fast throughout the year, and the third said he will never get married. The Messen-

٩٩٧ ـــ وَعَـــنْهُ قَالَ : كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَأْمُرُنَا بِالْبَاءَةِ ، وَيَنْهَى عَنِ التَّبَتُّلِ نَهْيًا شَدِيدًا ، وَيَقُولُ : «تَزَوَّجُوا الْوَدُودَ الْوَلُودَ ، فَإِنِّي مُكَاثِرٌ بِكُمُ الأَنْبِيَاءَ يَوْمَ الْقِيَامَةِ». رَوَاهُ أَحْمَدُ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

997. Anas bin Mâlik (RAA) narrated that the Messenger of Allâh ﷺ used to command (urge) us to get married and would very strictly prohibit us from remaining in celibacy and say, **"Marry the woman who is child bearing and loving, for I shall boast over all the nations by your number on the Day of Resurrection."** Related by A<u>h</u>mad. Ibn <u>H</u>ibbân graded it as *<u>Sah</u>î<u>h</u>*.

٩٩٨ ـــ وَلَـــهُ شَـــاهِدٌ عِنْدَ أَبِي دَاوُدَ ، وَالنَّسَائِيُّ ، وَابْنِ حِبَّانَ ، مِنْ حَدِيثِ مَعْقِلِ بْنِ يَسَارٍ .

998. Abû Dawûd and An-Nasâ'î and Ibn Hibbân related a similar *<u>Had</u>îth* on the authority of Ma´qil bin Yasâr.

٩٩٩ ـــ وَعَـــنْ أَبِـــي هُرَيْرَةَ – رَضِيَ اللَّهُ عَنْهُ – ، عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَـــالَ : «تُـــنْكَحُ الْمَرْأَةُ لأَرْبَعٍ : لِمَالِهَا ، وَلِحَسَبِهَا ، وَلِجَمَالِهَا ، وَلِدِينِهَا ، فَاظْفَرْ بِذَاتِ الدِّينِ تَرِبَتْ يَدَاكَ». مُتَّفَقٌ عَلَيْهِ مَعَ بَقِيَّةِ السَّبْعَةِ .

999. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"A woman is married for four reasons: her property, lineage, beauty and her religion** (meaning her piety). **So, marry the religious one otherwise you will be a loser."** Agreed upon along with the rest of the seven Imâms.

١٠٠٠ ـــ وَعَنْهُ : أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ إِذَا رَفَّأَ إِنْسَانًا إِذَا تَزَوَّجَ قَالَ : «بَارَكَ اللَّهُ لَكَ ، وَبَارَكَ عَلَيْكَ ، وَجَمَعَ بَيْنَكُمَا فِي خَيْرٍ». رَوَاهُ أَحْمَدُ ، وَالأَرْبَعَةُ ، وَصَحَّحَهُ التِّرْمِذِيُّ ، وَابْنُ خُزَيْمَةَ ، وَابْنُ حِبَّانَ .

1000. Abû Hurairah (RAA) narrated, 'When the Messenger of Allâh ﷺ congratulated a man on his marriage, he would say,

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ger of Allâh ﷺ thereupon said to them, "By Allâh, I am the most fearful of Allâh of you and yet I pray....."

**"May Allâh bless (both of you), and may He bestow His blessings upon you, and unite you together in goodness."** Related by Ahmad and the four Imâms. At-Tirmidhî, Ibn Khuzaimah and Ibn Hibbân graded it as *Sahîh*.

١٠٠١ ــ وَعَــنْ عَــبْدِاللَّهِ بْنِ مَسْعُودٍ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : عَلَّمَنَا رَسُولُ اللَّهِ صَــلَّى اللَّــهُ عَلَيْهِ وَسَلَّمَ التَّشَهُّدَ فِي الْحَاجَةِ : «إِنَّ الْحَمْدَ لِلَّهِ ، نَحْمَدُهُ وَنَسْتَعِينُهُ وَنَسْتَغْفِرُهُ ، وَنَعُوذُ بِاللَّهِ مِنْ شُرُورِ أَنْفُسِنَا ، مَنْ يَهْدِ اللَّهُ فَلاَ مُضِلَّ لَهُ ، وَمَنْ يُضْلِلْ فَــلاَ هَــادِيَ لَــهُ ، وَأَشْهَدُ أَنْ لاَ إِلَهَ إِلاَّ اللَّهُ ، وَأَشْهَدُ أَنَّ مُحَمَّدًا عَبْدُهُ وَرَسُولُهُ». وَيَقْرَأُ ثَلاَثَ آيَاتٍ ، رَوَاهُ أَحْمَدُ ، وَالأَرْبَعَةُ ، وَحَسَّنَهُ التِّرْمِذِيُّ ، وَالْحَاكِمُ .

1001. ´Abdullâh Ibn Mas´ûd (RAA) narrated,'The Messenger of Allâh ﷺ taught us to say for fulfillment of a need, **"All praise if for Allâh. We praise Him, we seek His aid and we ask for His forgiveness. We seek Allâh's refuge from the evil of ourselves. Whomsoever Allâh guides, there is no one who can lead him astray, and whomsoever Allâh misguides, there is no one to guide him. I testify that none has the right to be worshipped but Allâh alone, and I testify that Muhammad ﷺ is His slave and Messenger."** And recited three verses. Related by Ahmad and the four Imâms. At-Tirmidhî and al-Hâkim graded it as *Hasan*.

١٠٠٢ ــ وَعَــنْ جَابِرٍ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا خَطَبَ أَحَدُكُــمُ الْمَرْأَةَ ، فَإِنِ اسْتَطَاعَ أَنْ يَنْظُرَ مِنْهَا إِلَى مَا يَدْعُوهُ إِلَى نِكَاحِهَا فَلْيَفْعَلْ». رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَرِجَالُهُ ثِقَاتٌ ، وَصَحَّحَهُ الْحَاكِمُ .

1002. Jâbir (RAA) narrated that the Messenger of Allâh ﷺ said, **"If one of you proposes to a woman, and he can see from her what may entice him to marry her, he should do so."** Related by Ahmad and Abû Dawûd with a reliable chain of narrators. Al-Hâkim graded it as *Sahîh*.

١٠٠٣ ــ وَلَهُ شَاهِدٌ عِنْدَ التِّرْمِذِيِّ ، وَالنَّسَائِيِّ عَنِ الْمُغِيرَةِ .

1003. At-Tirmidhî and An-Nasâ'î transmitted a similar narration on the authority of Al-Mughîrah.

١٠٠٤ ــ وَعِنْدَ ابْنِ مَاجَهْ ، وَابْنِ حِبَّانَ ، مِنْ حَدِيثِ مُحَمَّدِ بْنِ مَسْلَمَةَ .

1004. Ibn Mâjah and Ibn Hibbân transmitted a similar narration on the authority of Muhammad bin Maslamah.

١٠٠٥ ــ وَلِمُسْلِمٍ عَنْ أَبِي هُرَيْرَةَ : أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ لِرَجُلٍ تَزَوَّجَ امْرَأَةً : «أَنَظَرْتَ إِلَيْهَا ؟» قَالَ : لاَ . قَالَ : «اذْهَبْ فَانْظُرْ إِلَيْهَا».

1005. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said to a man who told him that he had got engaged, **"Have you looked at her?"** The man replied, 'No.' He said to him, **"Go and look at her for it is more likely to create affection between the two of you."** Related by Muslim.

١٠٠٦ ــ وَعَنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ يَخْطُبْ أَحَدُكُمْ عَلَى خِطْبَةِ أَخِيهِ حَتَّى يَتْرُكَ الْخَاطِبُ قَبْلَهُ ، أَوْ يَأْذَنَ لَهُ». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِلْبُخَارِيِّ .

1006. Ibn 'Umar (RAA) narrated that the Messenger of Allâh ﷺ said, **"It is not allowed for a man to propose to a woman whom his brother (in Islâm) has already proposed to, until the first suitor gives her up, or allows him to propose to her."** Agreed upon and the wording is from Al-Bukhârî.

١٠٠٧ ــ وَعَنْ سَهْلِ بْنِ سَعْدٍ السَّاعِدِيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : جَاءَتِ امْرَأَةٌ إِلَى رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَتْ : يَا رَسُولَ اللَّهِ ، جِئْتُ أَهَبُ لَكَ نَفْسِي . فَنَظَرَ إِلَيْهَا رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَصَعَّدَ النَّظَرَ فِيهَا وَصَوَّبَهُ ، ثُمَّ طَأْطَأَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ رَأْسَهُ ، فَلَمَّا رَأَتِ الْمَرْأَةُ أَنَّهُ لَمْ يَقْضِ فِيهَا شَيْئًا جَلَسَتْ ، فَقَامَ رَجُلٌ مِنْ أَصْحَابِهِ ، فَقَالَ : يَا رَسُولَ اللَّهِ ، إِنْ لَمْ تَكُنْ لَكَ بِهَا حَاجَةٌ فَزَوِّجْنِيهَا ، قَالَ : «فَهَلْ عِنْدَكَ مِنْ شَيْءٍ ؟» فَقَالَ : لاَ ، وَاللَّهِ يَا رَسُولَ اللَّهِ . فَقَالَ : «اذْهَبْ إِلَى أَهْلِكَ فَانْظُرْ هَلْ تَجِدُ شَيْئًا ؟» فَذَهَبَ ثُمَّ رَجَعَ ، فَقَالَ : لاَ وَاللَّهِ مَا وَجَدْتُ شَيْئًا . فَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «انْظُرْ وَلَوْ خَاتَمًا

مِـــنْ حَدِيـــدٍ . فَذَهَبَ ثُمَّ رَجَعَ فَقَالَ : لاَ وَاللَّهِ يَا رَسُولَ اللَّهِ وَلاَ خَاتَماً مِنْ حَدِيدٍ وَلَكِـــنْ هَذَا إِزَارِي - قَالَ سَهْلٌ : مَالَهُ رِدَاءٌ - فَلَهَا نِصْفُهُ ، فَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَا تَصْنَعُ بِإِزَارِكَ ؟ إِنْ لَبِسْتَهُ لَمْ يَكُنْ عَلَيْهَا مِنْهُ شَيْءٌ ، وَإِنْ لَبِسَتْهُ لَمْ يَكُنْ عَلَيْكَ مِنْهُ شَيْءٌ» ، فَجَلَسَ الرَّجُلُ ، حَتَّى إِذَا طَالَ مَجْلِسُهُ قَامَ ، فَرَآهُ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ مُوَلِّيًا ، فَأَمَرَ بِهِ فَدُعِيَ بِهِ ، فَلَمَّا جَاءَ قَالَ : «مَاذَا مَعَكَ مِنَ الْقُرْآنِ ؟» قَالَ : مَعِي سُورَةُ كَذَا وَسُورَةُ كَذَا - عَدَّدَهَا - ، فَقَالَ : «تَقْرَؤُهُنَّ عَنْ ظَهْـــرِ قَلْبِكَ ؟» قَالَ : نَعَمْ . قَالَ : «اذْهَبْ فَقَدْ مَلَّكْتُكَهَا بِمَا مَعَكَ مِنَ الْقُرْآنِ». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِمُسْلِمٍ .

وَفِي رِوَايَةٍ : قَالَ لَهُ : «انْطَلِقْ فَقَدْ زَوَّجْتُكَهَا فَعَلِّمْهَا مِنَ الْقُرْآنِ».

وَفِي رِوَايَةٍ لِلْبُخَارِيِّ : «أَمْكَنَّاكَهَا بِمَا مَعَكَ مِنَ الْقُرْآنِ».

1007. Sahl bin Sa'd As-Sâ'idî (RAA) narrated, 'Once a woman came to the Prophet ﷺ and said, 'I dedicate myself to you (for marriage).' The Messenger of Allâh ﷺ looked at her up and down and then lowered his head. When the woman saw that he had made no decision she sat down. One of the companions of the Prophet ﷺ got up and said,'O Messenger of Allâh! If you have no need of her, marry her to me.' The Prophet ﷺ asked him, **"Do you have anything to give her as a dowry?"** The man replied, 'No, I swear by Allâh, O Messenger of Allâh.' The Prophet ﷺ said to him, **"Go to your family and seek something** (to offer her)**."** The man went and then returned saying, 'No, I swear by Allâh I found nothing.' The Messenger of Allâh ﷺ said to him, **"Seek** (something) **even if it is an iron ring."** The man went and then returned saying, 'No, I swear by Allâh O Messenger of Allâh, not even an iron ring, but I have this *Izâr* (waist sheet)- Sahl said, 'He had no upper garment'- and I shall give her half of it.' The Messenger of Allâh ﷺ said, **"What would she do with your *Izâr*? If you wear it, there would be nothing of it for her, and if she wears it, there would be nothing of it for you."** The man sat down, and when he had sat for a long time he got up. When Allâh's Messenger ﷺ saw him turning away, he commanded peo-

ple to call him back. When he came the Prophet ﷺ said to him, **"Have you memorized something of the Qur'ân?"** The man said, 'Yes, I have memorized such and such *Sûrahs*,' and named some of them. The Prophet ﷺ then asked him, **"Can you recite them by heart?"** He replied, 'Yes.' The Prophet ﷺ then said, **"Go for I have married her to you for what you have memorized of the Qur'ân."** Agreed upon and the wording is from Muslim.

In another version he said, **"Go for I have married her to you, and teach her some of the Qur'ân** (that you know)."

In another version by Al-Bukhârî, **"I have married her to you for what you have of the Qur'ân."**

١٠٠٨ ــ وَلأَبِـــي دَاوُدَ عَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - : قَالَ : «مَا تَحْفَظُ ؟» قَالَ : سُورَةَ الْبَقَرَةِ ، وَالَّتِي تَلِيهَا . قَالَ : «قُمْ فَعَلِّمْهَا عِشْرِينَ آيَةً».

1008. Abû Hurairah (RAA) narrated, 'The Prophet ﷺ asked him, **"What have you memorized** (of the Qur'ân)?" He said, '*Sûrah al-Baqarah (the Cow, No.2)* and the one next to it (*Sûrah No. 3)*.' The Prophet ﷺ then said, **"Get up and teach her twenty verses."** Related by Abû Dawûd.

١٠٠٩ ــ وَعَـــنْ عَامِـــرِ بْنِ عَبْدِاللَّهِ بْنِ الزُّبَيْرِ عَنْ أَبِيهِ - رَضِيَ اللَّهُ عَنْهُمْ - : أَنَّ رَسُـــولَ اللَّـــهِ صَـــلَّى اللَّـــهُ عَلَـــيْهِ وَسَلَّمَ قَالَ : «أَعْلِنُوا النِّكَاحَ». رَوَاهُ أَحْمَدُ ، وَصَحَّحَهُ الْحَاكِمُ .

1009. 'Âmir bin 'Abdullâh bin Az-Zubair narrated on the authority of his father (RAA) that the Messenger of Allâh ﷺ said, **"Announce the wedding."** Related by Ahmad and al-Hâkim graded it as *Sahîh*.

١٠١٠ ــ وَعَـــنْ أَبِـــي بُرْدَةَ بْنِ أَبِي مُوسَى عَنْ أَبِيهِ - رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا - قَـــالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ نِكَاحَ إِلاَّ بِوَلِيٍّ». رَوَاهُ أَحْمَدُ ، وَالأَرْبَعَةُ ، وَصَحَّحَهُ ابْنُ الْمَدِينِي ، وَالتِّرْمِذِيُّ ، وَابْنُ حِبَّانَ ، وَأُعِلَّ بِالإِرْسَالِ .

1010. Abû Burdah bin Abî Mûsâ narrated on the authority of

his father (RAA) that the Messenger of Allâh ﷺ said, **"No marriage is to be conducted except with a *walî*** (a woman's guardian)." Related by Ahmad and the four Imâms. Ibn al-Madînî, at-Tirmidhî and Ibn Hibbân graded it as Sahîh.

١٠١١ ــ وَرَوَى الإِمَـامُ أَحْمَـدُ عَنِ الْحَسَنِ ، عَنْ عِمْرَانَ بْنِ الْحُصَيْنِ مَرْفُوعًا : «لاَ نِكَاحَ إِلاَّ بِوَلِيٍّ وَشَاهِدَيْنِ».

1011. Imâm Ahmad transmitted on the authority of al-Hasan on the authority of 'Imrân bin al-Husain, that the Prophet ﷺ said **"There is no marriage** (to be conducted) **save with a guardian and two just witnesses."**

١٠١٢ ــ وَعَنْ عَائِشَةَ – رَضِيَ اللَّهُ عَنْهَا – قَالَتْ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «أَيُّمَا امْرَأَةٍ نَكَحَتْ بِغَيْرِ إِذْنِ وَلِيِّهَا فَنِكَاحُهَا بَاطِلٌ ، فَإِنْ دَخَلَ بِهَا فَلَهَا الْمَهْرُ بِمَا اسْتَحَلَّ مِنْ فَرْجِهَا ، فَإِنِ اشْتَجَرُوا ، فَالسُّلْطَانُ وَلِيُّ مَنْ لاَ وَلِيَّ لَهُ». أَخْرَجَهُ الأَرْبَعَةُ إِلاَّ النَّسَائِيَّ ، وَصَحَّحَهُ أَبُو عَوَانَةَ ، وَابْنُ حِبَّانَ ، وَالْحَاكِمُ .

1012. 'Â'ishah (RAA) narrated that 'Allâh's Messenger ﷺ said, **"If any woman marries herself without the permission of her *walî*, then her marriage is void. If the groom copulates with her, she deserves the dowry because of(the enjoyment of) her private parts he has made lawful to himself. If they dispute then** (they can resort to) **the ruler** (as he) **is the guardian of those who do not have a guardian."** Related by the four Imâms except for An-Nasâ'î. Abû 'Uwânah, Ibn Hibbân and al-Hâkim graded it as Sahîh.

١٠١٣ ــ وَعَـنْ أَبِي هُرَيْرَةَ – رَضِيَ اللَّهُ تَعَالَى عَنْهُ – : أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لاَ تُنْكَحُ الأَيِّمُ حَتَّى تُسْتَأْمَرَ ، وَلاَ تُنْكَحُ الْبِكْرُ حَتَّى تُسْتَأْذَنَ». قَالُوا : يَا رَسُولَ اللَّهِ ، وَكَيْفَ إِذْنُهَا ؟ قَالَ : «أَنْ تَسْكُتَ». مُتَّفَقٌ عَلَيْهِ .

1013. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"A non-virgin woman** (divorced or widowed) **is not to be married except after consulting her nor can a virgin be married except with her consent."** The people asked, 'O

Messenger of Allâh! How is her consent(to be known)?' He said, **"If she remains silent."** Agreed upon.

١٠١٤ ــ وَعَــنِ ابْنِ عَبَّاسٍ – رَضِيَ اللَّهُ عَنْهُمَا – : أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «الثَّيِّبُ أَحَقُّ بِنَفْسِهَا مِنْ وَلِيِّهَا وَالْبِكْرُ تُسْتَأْمَرُ ، وَإِذْنُهَا سُكُوتُهَا». رَوَاهُ مُسْلِمٌ.
وَفِــي لَفْــظٍ : «لَــيْسَ لِلْوَلِيِّ مَعَ الثَّيِّبِ أَمْرٌ ، وَالْيَتِيمَةُ تُسْتَأْمَرُ». رَوَاهُ أَبُو دَاوُدَ ، وَالنَّسَائِيُّ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

1014. Ibn ´Abbâs (RAA) narrated that the Messenger of Allâh ﷺ said, **"A non-virgin woman is worthier to organize her affairs than her guardian. As for the virgin she must be asked for her permission. Her silence is a sign of her consent** (to be married)." Related by Muslim.

In another version, **"A guardian has no authority over a non-virgin woman and an orphan girl(i.e. virgin) must be asked for her permission** (in marriage)." Related by Abû Dawûd. An-Nasâ'î and Ibn Hibbân graded it as *Sahîh*.

١٠١٥ ــ وَعَــنْ أَبِي هُرَيْرَةَ – رَضِيَ اللَّهُ تَعَالَى عَنْهُ – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّــهُ عَلَــيْهِ وَسَــلَّمَ : «لاَ تُزَوِّجُ الْمَرْأَةُ الْمَرْأَةَ ، وَلاَ تُزَوِّجُ الْمَرْأَةُ نَفْسَهَا». رَوَاهُ ابْنُ مَاجَهْ ، وَالدَّارَقُطْنِيُّ ، وَرِجَالُهُ ثِقَاتٌ .

1015. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"Let no woman be the guardian of another woman in marriage, and let no woman marry herself** (by herself without a guardian)."Related by Ibn Mâjah and Ad-Dâraqutnî with a trustworthy chain of narrators.

١٠١٦ ــ وَعَــنْ نَافِعٍ عَنِ ابْنِ عُمَرَ – رَضِيَ اللَّهُ عَنْهُمَا – قَالَ : «نَهَى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَنِ الشِّغَارِ» ، وَالشِّغَارُ أَنْ يُزَوِّجَ الرَّجُلُ ابْنَتَهُ ، عَلَى أَنْ يُزَوِّجَهُ الآخَرُ ابْنَتَهُ ، وَلَيْسَ بَيْنَهُمَا صَدَاقٌ . مُتَّفَقٌ عَلَيْهِ .
وَاتَّفَقَا مِنْ وَجْهٍ آخَرَ عَلَى أَنَّ تَفْسِيرَ الشِّغَارِ مِنْ كَلاَمِ نَافِعٍ .

1016. Nâfi´ narrated on the authority of Ibn ´Umar(RAA), 'The Messenger of Allâh ﷺ prohibited *Shighâr*. It is the marriage in

which a man marries his daughter to another man, and the latter in return marries his daughter to the former, on condition that no dowry is to be paid by either.' Agreed upon.

١٠١٧ ــ وَعَنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - : أَنَّ جَارِيَةً بِكْرًا أَتَتِ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَذَكَرَتْ أَنَّ أَبَاهَا زَوَّجَهَا وَهِيَ كَارِهَةٌ ، فَخَيَّرَهَا رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ . رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَابْنُ مَاجَهْ وَأُعِلَّ بِالإِرْسَالِ .

1017. Ibn 'Abbâs (RAA) narrated that a young woman came to the Prophet ﷺ and stated that her father had married her against her will. The Prophet ﷺ gave her the option to annul the marriage or to accept it.' Related by Ahmad, Abû Dawûd and Ibn Mâjah.

١٠١٨ ــ وَعَنِ الْحَسَنِ عَنْ سَمُرَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - ، عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «أَيُّمَا امْرَأَةٍ زَوَّجَهَا وَلِيَّانِ ، فَهِيَ لِلأَوَّلِ مِنْهُمَا». رَوَاهُ أَحْمَدُ ، وَالأَرْبَعَةُ ، وَحَسَّنَهُ التِّرْمِذِيُّ .

1018. Al-Hasan bin Samurah(RAA) narrated that the Messenger of Allâh ﷺ said, **"Whenever two guardians marry off a woman** (to two men), **the first husband is worthier of her."** Related by Ahmad and the four Imâms. At-Tirmidhî graded it as *Hasan*.

١٠١٩ ــ وَعَنْ جَابِرٍ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - ، قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «أَيُّمَا عَبْدٍ تَزَوَّجَ بِغَيْرِ إِذْنِ مَوَالِيهِ ، أَوْ أَهْلِهِ فَهُوَ عَاهِرٌ». رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَالتِّرْمِذِيُّ ، وَصَحَّحَهُ ، وَكَذَلِكَ ابْنُ حِبَّانَ .

1019. Jâbir bin 'Abdullâh (RAA) narrated that the Messenger of Allâh ﷺ said, **"Any slave who marries without the permission of his master, he is like a fornicator."** Related by Ahmad Abû Dawûd and At-Tirmidhî. The latter and Ibn Hibbân graded it as *Sahîh.*

١٠٢٠ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - : أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لاَ يُجْمَعُ بَيْنَ الْمَرْأَةِ وَعَمَّتِهَا ، وَلاَ بَيْنَ الْمَرْأَةِ وَخَالَتِهَا». مُتَّفَقٌ عَلَيْهِ .

1020. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"A woman is not to be married along with her paternal or her maternal aunts."** Agreed upon.

١٠٢١ ــ وَعَــنْ عُثْمَانَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ يَنْكِحُ الْمُحْرِمُ وَلاَ يُنْكَحُ». رَوَاهُ مُسْلِمٌ .
وَفِي رِوَايَةٍ لَهُ : «لاَ يَخْطِبُ»، وَزَادَ ابْنُ حِبَّانَ : «وَلاَ يُخْطَبُ عَلَيْهِ».

1021. 'Uthmân (RAA) narrated that the Messenger of Allâh ﷺ said, **"A pilgrim while in a state of *Ihrâm* may not contract marriage** (himself), **nor contract the marriage of someone else."** Related by Muslim.

In a version by Muslim, **"He may neither propose to a woman** (either for himself or for someone else)," Ibn Hibbân added the following in his version, **"Nor be asked for the hand of a woman** (he is the guardian of)**."**

١٠٢٢ ــ وَعَــنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا - قَالَ : تَزَوَّجَ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ مَيْمُونَةَ وَهُوَ مُحْرِمٌ». مُتَّفَقٌ عَلَيْهِ .

1022. Ibn 'Abbâs (RAA) narrated, "The Messenger of Allâh ﷺ married Maimûnah while he was in the state of *Ihrâm.*[301]" Agreed upon.

١٠٢٣ ــ وَلِمُسْــلِمٍ عَنْ مَيْمُونَةَ نَفْسِهَا - رَضِيَ اللَّهُ عَنْهَا - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ تَزَوَّجَهَا وَهُوَ حَلاَلٌ ».

1023. Muslim transmitted on the authority of Maimûnah(RAA) that the Messenger of Allâh ﷺ married her while he was not in the state of *Ihrâm*.

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301- Many of the companions are of the opinion that the Prophet ﷺ married Maimûnah before he puts on his *Ihrâm* but the news of his marriage became known while he was in the state of *Ihrâm*, and then he consummated his marriage in Makkah. This opinion goes in accordance with the prohibition mentioned in this hadîth.

١٠٢٤ ــ وَعَــنْ عُقْــبَةَ بْــنِ عَامِرٍ قَالَ : قَالَ رَسُولُ اللّٰهِ صَلَّى اللّٰهُ عَلَيْهِ وَسَلَّمَ : «إِنَّ أَحَقَّ الشُّرُوطِ أَنْ يُوَفَّى بِهِ ، مَا اسْتَحْلَلْتُمْ بِهِ الْفُرُوجَ». مُتَّفَقٌ عَلَيْهِ .

1024. 'Uqbah bin 'Âmir (RAA) narrated that the Messenger of Allâh ﷺ said, **"The most deserving conditions to be fulfilled, are those that make the private parts lawful** (*Halâl*) **for you** (i.e. in marriage)**."** Agreed upon.

١٠٢٥ ــ وَعَــنْ سَلَمَةَ بْنِ الأَكْوَعِ - رَضِيَ اللّٰهُ عَنْهُ - قَالَ : «رَخَّصَ رَسُولُ اللّٰهِ صَلَّى اللّٰهُ عَلَيْهِ وَسَلَّمَ عَامَ أَوْطَاسٍ فِي الْمُتْعَةِ ثَلاَثَةَ أَيَّامٍ ، ثُمَّ نَهَى عَنْهَا». رَوَاهُ مُسْلِمٌ.

1025. Salamah bin al-Akwa' narrated,'The Messenger of Allâh ﷺ permitted *Mut'ah* Marriage,[302] for three days in the year of Autâs,[303] but then he prohibited it." Related by Muslim.

١٠٢٦ ــ وَعَــنْ عَلِيٍّ - رَضِيَ اللّٰهُ تَعَالَى عَنْهُ - قَالَ : نَهَى رَسُولُ اللّٰهِ صَلَّى اللّٰهُ عَلَيْهِ وَسَلَّمَ عَنِ الْمُتْعَةِ عَامَ خَيْبَرَ . مُتَّفَقٌ عَلَيْهِ .

1026. 'Alî bin Abî Tâlib narrated, 'The Messenger of Allâh ﷺ prohibited the *Mut'ah* marriage on the battle of *Khaibar*." Agreed upon.

١٠٢٧ ــ وَعَــنْهُ أَنَّ رَسُولَ اللّٰهِ صَلَّى اللّٰهُ عَلَيْهِ وَسَلَّمَ نَهَى عَنْ مُتْعَةِ النِّسَاءِ ، وَعَنْ أَكْلِ الْحُمُرِ الأَهْلِيَّةِ يَوْمَ خَيْبَرَ . أَخْرَجَهُ السَّبْعَةُ إِلاَّ أَبَا دَاوُدَ .

1027. 'Alî bin Abî Tâlib narrated, 'The Messenger of Allâh ﷺ prohibited the *Mut'ah* Marriage on the battle of *Khaibar* as well as the flesh of domestic donkeys."Transmitted by the seven Imâms except Abû Dawûd.

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302- This is a kind of temporary marriage, the duration of which is predetermined through an agreement between the man and the woman. The purpose of this marriage is to have sexual intercourse for that period of time, by the end of which the woman is automatically divorced. It is unanimously termed invalid by all Muslim scholars.

303- A battle which took place after the Conquest of Makkah.

١٠٢٨ ــ وَعَــنْ رَبِيعِ بْنِ سَبْرَةَ عَنْ أَبِيهِ - رَضِيَ اللَّهُ عَنْهُ - : أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «إِنِّي كُنْتُ أَذِنْتُ لَكُمْ فِي الإِسْتِمْتَاعِ مِنَ النِّسَاءِ ، وَإِنَّ اللَّهَ قَدْ حَرَّمَ ذَلِكَ إِلَى يَوْمِ الْقِيَامَةِ ، فَمَنْ كَانَ عِنْدَهُ مِنْهُنَّ شَيْءٌ فَلْيُخَلِّ سَبِيلَهَا ، وَلاَ تَأْخُذُوا مِمَّــا آتَيْــتُمُوهُنَّ شَــيْئًا». أَخْرَجَهُ مُسْلِمٌ ، وَأَبُو دَاوُدَ ، وَالنَّسَائِيُّ ، وَابْنُ مَاجَهْ ، وَأَحْمَدُ ، وَابْنُ حِبَّانَ .

1028. Rabî´ bin Sabrah narrated on the authority of his father (RAA) that the Messenger of Allâh ﷺ said,**"I had permitted you to contract *Mut´ah* Marriage,[304] but Allâh has surely prohibited it until the Day of Resurrection. So, if any of you has a woman that he married through *Mut´ah*, he should let her go, and do not take back any of the dower he gave her."** Related by Muslim, Abû Dawûd, An-Nasâ'î, Ibn Mâjah, Ahmad and Ibn Hibbân.

١٠٢٩ ــ وَعَنِ ابْنِ مَسْعُودٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «لَعَنَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ الْمُحَلِّلَ وَالْمُحَلَّلَ لَهُ». رَوَاهُ أَحْمَدُ ، وَالنَّسَائِيُّ ، وَالتِّرْمِذِيُّ وَصَحَّحَهُ .

1029. Ibn Mas´ûd (RAA) narrated, "The Messenger of Allâh ﷺ cursed the *muhallil*[305] and the one (the first husband) for whom the woman was made lawful (through this marriage).' Related by Ahmad, An-Nasâ'î and At-Tirmidhî who rendered it to be authentic.

١٠٣٠ ــ وَفِي الْبَابِ عَنْ عَلِيٍّ أَخْرَجَهُ الأَرْبَعَةُ إِلاَّ النَّسَائِيَّ .

1030. The four Imâms except An-Nasâ'î transmitted a similar tradition on the authority of ´Alî.

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304- This marriage was permitted for sometime at the rise of Islâm, but then it was finally prohibited in the year of Khaibar.

305- *Al-Muhallil* is the man who temporarily marries a woman, who has been divorced three times and thus she is not lawful anymore for her first husband. The *muhallil* marries her temporarily, may have sexual intercourse with her or not. He then divorces her to go back to her first husband, to whom she is now lawful *(Halâl)* to remarry except through a new marriage contract. This is also prohibited as it is another form of temporary marriage that stipulates separation due to a previously made agreement between the first husband and the *muhallil*.

١٠٣١ ـــ وَعَـــنْ أَبِـــي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّه صَلَّى اللَّهُ عَلَـــيْهِ وَسَـــلَّمَ : «لاَ يَـــنْكِحُ الزَّانِي الْمَجْلُودُ إِلاَّ مِثْلَهُ». رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَرِجَالُهُ ثِقَاتٌ .

1031. Abû Hurairah(RAA) narrated that Allâh's Messenger ﷺ said, **"A man guilty of adultery, who has been flogged, should not marry but one who is as guilty as he is."** Related by Ahmad and Abû Dawûd with a trustworthy chain of narrators.

١٠٣٢ ـــ وَعَـــنْ عَائِشَـــةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : طَلَّقَ رَجُلٌ امْرَأَتَهُ ثَلاَثًا ، فَـــتَزَوَّجَهَا رَجُلٌ ، ثُمَّ طَلَّقَهَا قَبْلَ أَنْ يَدْخُلَ بِهَا ، فَأَرَادَ زَوْجُهَا الأَوَّلُ أَنْ يَتَزَوَّجَهَا ، فَسُئِلَ رَسُولُ اللَّه صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَنْ ذَلِكَ ، فَقَالَ : «لاَ ، حَتَّى يَذُوقَ الآخَرُ مِنْ عُسَيْلَتِهَا مَا ذَاقَ الأَوَّلُ». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِمُسْلِمٍ .

1032. 'Â'ishah (RAA) narrated, 'A man divorced his wife three times, then she married another man who also divorced her before having sexual contact with her. The first husband wanted to remarry her(after her divorce from the second man). The Messenger of Allâh ﷺ was asked about this, but he replied, **"No, she cannot marry the first husband until the second husband consummates his marriage with her, just as the first husband had done."** Agreed upon, and the wording is from Muslim.

## بَـــابُ الْكَفَـــاءَةِ وَالْخِيَـــارِ

## *Chapter II: Compatibility [306] in Marriage and the Right to Choose*

١٠٣٣ ـــ عَنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّه صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «الْعَرَبُ بَعْضُهُمْ أَكْفَاءُ بَعْضٍ ، وَالْمَوَالِي بَعْضُهُمْ أَكْفَاءُ بَعْضٍ ، إِلاَّ حَائِكًا أَوْ حَجَّامًا». رَوَاهُ الْحَاكِمُ ، وَفِي إِسْنَادِهِ مَنْ لَمْ يُسَمَّ ، وَاسْتَنْكَرَهُ أَبُو حَاتِمٍ .

306- Scholars have differed over the definition of compatibility, and most of them are of the opinion that the most important aspect is that of in religiousness.

1033. Ibn 'Umar (RAA) narrated that the Messenger of ﷺ said, **"Arabs are equivalent to one another** (in marriage) **and clients (slaves) are equivalent to one another, save a weaver or a cupper."** Related by Al-Hâkim but all its chains of narrators are extremely weak, and most scholars considered it to be a false tradition.

١٠٣٤ ــ وَلَهُ شَاهِدٌ عِنْدَ الْبَزَّارِ عَنْ مُعَاذِ بْنِ جَبَلٍ بِسَنَدٍ مُنْقَطِعٍ .

1034. Al-Bazzâr transmitted a similar narration on the authority of Mu'âdh bin Jabal, but with a disconnected chain of narrators.

١٠٣٥ ــ وَعَنْ فَاطِمَةَ بِنْتِ قَيْسٍ – رَضِيَ اللَّهُ تَعَالَى عَنْهَا – : أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ لَهَا : «انْكَحِي أُسَامَةَ» رَوَاهُ مُسْلِمٌ .

1035. Fâtimah the daughter of Qais (RAA) narrated that the Messenger of Allâh ﷺ said to her, **"Marry Usâmah."** [307] Related by Muslim.

١٠٣٦ ــ وَعَــنْ أَبِــي هُرَيْرَةَ – رَضِيَ اللَّهُ تَعَالَى عَنْهُ – أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : « يَا بَنِي بَيَاضَةَ ، أَنْكِحُوا أَبَا هِنْدٍ وَانْكِحُوا إِلَيْهِ » – وَكَانَ حَجَّامًا – رَوَاهُ أَبُو دَاوُدَ ، وَالْحَاكِمُ بِسَنَدٍ جَيِّدٍ .

1036. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"O sons of Bayâdah (Banû Bayâdah) marry Abû Hind**[308] **to** (someone of) **your women, and marry his women** (his daughters)," and he was a cupper.' Related by Abû Dawûd and Al-Hâkim with a good chain of narrators.

307- Fâtimah bint Qais was from the tribe of Quraish, i.e. of a noble lineage, while Usâmah was his slave and the son of his client Zaid.

308- Abû Hind or Yasâr, cupped the Prophet ﷺ, this hadîth and the previous one, are proof that it is not only the lineage which counts in equivalence. It was also reported that Bilâl (RAA), who was a slave before he was manumitted by Abû Bakr (RAA), married Hâlah the sister of 'Abdur Rahmân bin 'Auf, and 'Umar (RAA), offered his daughter Hafsah in marriage to Salmân al-Fârisî (a Persian slave) before she married the Prophet ﷺ.

١٠٣٧ ـــ وَعَــنْ عَائِشَةَ – رَضِيَ اللَّهُ عَنْهَا – قَالَتْ : «خُيِّرَتْ بَرِيرَةُ عَلَى زَوْجِهَا حِينَ عُتِقَتْ». مُتَّفَقٌ عَلَيْهِ ، وَفِي حَدِيثٍ طَوِيلٍ .

وَلِمُسْــلِمٍ عَنْهَا – رَضِيَ اللَّهُ عَنْهَا – : «أَنَّ زَوْجَهَا كَانَ عَبْدًا» ، وَفِي رِوَايَةٍ عَنْهَا «كَانَ حُرًّا» ، وَالأَوَّلُ أَثْبَتُ .

وَصَحَّ عَنِ ابْنِ عَبَّاسٍ – رَضِيَ اللَّهُ تَعَالَى عَنْهُ – عِنْدَ الْبُخَارِيِّ ، أَنَّهُ كَانَ عَبْدًا .

1037. ´Â'ishah (RAA) narrated, 'When Barîrah was manumitted, she was given the choice to remain with her husband (Mughîth) who was a slave at that time, or to leave him.' (part of a long tradition) Agreed upon.

In a version by Muslim: 'Her husband was a slave.' He also related on the authority of ´Â'ishah (RAA): 'He was a free man.' But the first narration (that he was a slave) is stronger.

Al-Bukhârî also related on the authority of Ibn ´Abbâs that he was a salve.

١٠٣٨ ـــ وَعَــنِ الضَّحَّاكِ بْنِ فَيْرُوزَ الدَّيْلَمِيِّ ، عَنْ أَبِيهِ – رَضِيَ اللَّهُ تَعَالَى عَنْهُ – قَالَ : يَا رَسُولَ اللَّهِ ، إِنِّي أَسْلَمْتُ وَتَحْتِي أُخْتَانِ . فَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ : «طَلِّــقْ أَيَّــتَهُمَا شِئْتَ». رَوَاهُ أَحْمَدُ ، وَالأَرْبَعَةُ إِلاَّ النَّسَائِيُّ ، وَصَحَّحَهُ ابْنُ حِبَّانَ ، وَالدَّارَقُطْنِيُّ ، وَالْبَيْهَقِيُّ ، وَأَعَلَّهُ الْبُخَارِيُّ .

1038. Ad-Dahhâk bin Fairûz Ad-Dailamî narrated on the authority of his father (RAA),'O Messenger of Allâh! I have embraced Islâm and I am married to two sisters.'[309] The Messenger of Allâh ﷺ said to him, **"Divorce whichever of them you wish to leave."** Related by Ahmad and the four Imâms except for An-Nasâ'î. Ibn Hibbân, ad-Dâraqutnî and al-Baihaqî graded it as *Sahîh*.

١٠٣٩ ـــ وَعَنْ سَالِمٍ عَنْ أَبِيهِ – رَضِيَ اللَّهُ عَنْهُ – : أَنَّ غَيْلاَنَ بْنَ سَلَمَةَ ، أَسْلَمَ ، وَلَهُ عَشْرُ نِسْوَةٍ ، فَأَسْلَمْنَ مَعَهُ ، فَأَمَرَهُ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنْ يَتَخَيَّرَ مِنْهُنَّ أَرْبَعًا».

309- It is prohibited in Islâm to marry two sisters together at the same time.

رَوَاهُ أَحْمَدُ ، وَالتِّرْمِذِيُّ ، وَصَحَّحَهُ ابْنُ حِبَّانَ ، وَالْحَاكِمُ ، وَأَعَلَّهُ الْبُخَارِيُّ ، وَأَبُو زُرْعَةَ ، وَأَبُو حَاتِمٍ .

1039. Sâlim narrated on the authority of his father (RAA), 'Ghailân bin Salamah who embraced Islâm and he had ten wives (at the time) who all accepted Islâm with him. The Messenger of Allâh ﷺ commanded him to choose only four of them.' Related by Ahmad and At-Tirmidhî. Ibn Hibbân and al-Hâkim graded it as *Sahîh;* but al-Bukhârî, Abû Zur´ah and Abû Hâtim graded it as a defected *Hadîth*..

١٠٤٠ ــ وَعَنِ ابْنِ عَبَّاسٍ – رَضِيَ اللَّهُ عَنْهُمَا – قَالَ : «رَدَّ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ابْنَتَهُ زَيْنَبَ عَلَى أَبِي الْعَاصِ بْنِ الرَّبِيعِ بَعْدَ سِتِّ سِنِينَ بِالنِّكَاحِ الأَوَّلِ ، وَلَمْ يُحْدِثْ نِكَاحًا». رَوَاهُ أَحْمَدُ ، وَالأَرْبَعَةُ إِلاَّ النَّسَائِيَّ ، وَصَحَّحَهُ أَحْمَدُ وَالْحَاكِمُ .

1040. Ibn ´Abbâs (RAA) narrated, 'The Messenger of Allâh ﷺ restored his daughter Zainab to Abû Al-´Âs bin ar-Rabî´[310] after six years(of separation) according to (the contract of the) first marriage and did not make a new one.'Related by Ahmad and the four Imâms save An-Nasâ'î. Ahmad and al-Hâkim graded it as *Sahîh*.

١٠٤١ ــ وَعَنْ عَمْرِو بْنِ شُعَيْبٍ ، عَنْ أَبِيهِ ، عَنْ جَدِّهِ : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ رَدَّ ابْنَتَهُ زَيْنَبَ عَلَى أَبِي الْعَاصِ بِنِكَاحٍ جَدِيدٍ» قَالَ التِّرْمِذِيُّ : حَدِيثُ ابْنِ عَبَّاسٍ أَجْوَدُ إِسْنَاداً ، وَالعَمَلُ عَلَى حَدِيثِ عَمْرِو بْنِ شُعَيْبٍ .

1041. ´Amro bin Shu´aib narrated on the authority of his

310- Abû Al-´Âs bin ar-Rabî was the husband of the Prophet's daughter (Zainab). She embraced Islâm with the family of the Prophet ﷺ while he remained a polytheist and was taken as a prisoner of war in the Battle of Badr. Zainab sent her necklace (which was given to her by her mother Khadîjah) to the Prophet ﷺ as a ransom to set him free, the Prophet ﷺ accepted it and stipulated that Al-´Âs lets her migrate to the Prophet ﷺ in Madînah. She migrated and in the year 6 of al-Hijrah of the Prophet ﷺ the verse which prohibits the marriage of a Muslim woman to a disbeliever was revealed. She remained for two years and her marriage was suspended until Abû Al-´Âs embraced Islâm (during the 8th year of al-Hijrah) and the Prophet ﷺ restored her to him.

father on the authority of his grandfather that the Messenger of Allâh ﷺ restored his daughter Zainab to Abû Al-´Âs with a new marriage contract.'[311] Imâm At-Tirmidhî said that the hadîth of Ibn ´Abbâs is related with a stronger chain of narrators.

١٠٤٢ ـــ وَعَنْ ابْنِ عَبَّاسٍ – رَضِيَ اللَّهُ عَنْهُمَا – قَالَ : «أَسْلَمَت امْرَأَةٌ ، فَتَزَوَّجَتْ فَجَاءَ زَوْجُهَا ، فَقَالَ : يَا رَسُولَ اللَّهِ ، إِنِّي كُنْتُ أَسْلَمْتُ وَعَلِمَتْ بِإِسْلاَمِي ، فَانْتَزَعَهَا رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ مِنْ زَوْجِهَا الآخَرُ ، وَرَدَّهَا إِلَى زَوْجِهَا الأَوَّلِ». رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَابْنِ مَاجَهْ وَصَحَّحَهُ ابْنِ حِبَّانَ ، وَالْحَاكِمُ .

1042. Ibn ´Abbâs (RAA) narrated, 'A woman embraced Islâm then got married. Her (first) husband came and said, 'O Messenger of Allâh, 'I have accepted Islâm and she knew that (before she got married).' The Messenger of Allâh ﷺ then took her away from the second husband and gave her back to the first one.' Related by Ahmad, Abû Dawûd and Ibn Mâjah. Ibn Hibbân and al-Hâkim graded it as *Sahîh*

١٠٤٣ ـــ وَعَنْ زَيْدِ بْنِ كَعْبِ بْنِ عُجْرَةَ عَنْ أَبِيهِ قَالَ : تَزَوَّجَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ الْعَالِيَةَ مِنْ بَنِي غِفَارٍ ، فَلَمَّا دَخَلَتْ عَلَيْهِ ، وَوَضَعَتْ ثِيَابَهَا ، رَأَى بِكَشْحِهَا بَيَاضًا ، فَقَالَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «الْبَسِي ثِيَابَكِ ، وَالْحَقِي بِأَهْلِكِ» ، وَأَمَرَ لَهَا بِالصَّدَاقِ . رَوَاهُ الْحَاكِمُ ، وَفِي إِسْنَادِهِ جَمِيلُ بْنُ زَيْدٍ ، وَهُوَ مَجْهُولٌ ، وَاخْتُلِفَ عَلَيْهِ فِي شَيْخِهِ اخْتِلاَفًا كَثِيرًا .

1043. Zaid bin Ka´b bin ´Ujrah narrated on the authority of his father, 'The messenger of Allâh ﷺ married al-´Âliyah from

311- Ahmad and Ad-Dârqutnî said that this is a weak hadîth. The stronger narration is the one that says that the Prophet ﷺ consented to the first marriage after Abû Al-´Âs embraced Islâm. Imâm Ibnul Qaiyim said that the hadîth related by Ibn ´Abbâs indicates that the marriage was suspended. If the husband embraces Islâm before her *´Iddah* is over, then she is still his wife and there is no need to renew the marriage. If the husband embraced Islâm after the *´Iddah* of his wife is over, then they must be separated at the termination of *´Iddah* and remarry with a new contract.

Banî Ghifâr. When she had entered his presence and doffed her clothes, the Prophet ﷺ saw whiteness on her flanks. Thereupon, he said to her, **"Put on your clothes and go back to your family,"** and he gave her the dower. Related by Al-Hâkim, but there is Jamîl bin Zaid in the chain of narrators who is not trustworthy.

١٠٤٤ ــ وَعَنْ سَعِيدِ بْنِ الْمُسَيَّبِ أَنَّ عُمَرَ بْنَ الْخَطَّابِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «أَيُّمَا رَجُلٍ تَزَوَّجَ امْرَأَةً فَدَخَلَ بِهَا فَوَجَدَهَا بَرْصَاءَ أَوْ مَجْنُونَةً ، أَوْ مَجْذُومَةً ، فَلَهَا الصَّدَاقُ بِمَسِيسِهِ إِيَّاهَا ، وَهُوَ لَهُ عَلَى مَنْ غَرَّهُ مِنْهَا». أَخْرَجَهُ سَعِيدُ بْنُ مَنْصُورٍ ، وَمَالِكٌ ، وَابْنُ أَبِي شَيْبَةَ ، وَرِجَالُهُ ثِقَاتٌ .

1044. Sa'îd bin al-Musaiyab narrated that ''Umar bin al-Khattâb (RAA) said, 'If a man married a woman and when he has had sexual intercourse with her, he discovered that she is leprous or insane, she is entitled to get her dower for having had intercourse with her and he is to get back what he paid from the one who deceived him by marrying him to her (and he knew of her defects).' Related by Sa'îd bin Mansûr and Mâlik bin Abî Shaibah with a trustworthy chain of narrators.

١٠٤٥ ــ وَرَوَى سَعِيدٌ أَيْضًا عَنْ عَلِيٍّ نَحْوَهُ ، وَزَادَ : «وَبِهَا قَرْنٌ ، فَزَوْجُهَا بِالْخِيَارِ ، فَإِنْ مَسَّهَا فَلَهَا الْمَهْرُ بِمَا اسْتَحَلَّ مِنْ فَرْجِهَا».

1045. Sa'îd bin al-Musaiyab narrated a similar narration on the authority of 'Alî and added, 'or had a defect in her vagina (like a protrusion that impedes having normal sexual relation with her), her husband then has the choice to keep her or divorce her. If he had intercourse with her, then she gets her dower for him having enjoyed her private parts.

١٠٤٦ ــ وَمِنْ طَرِيقِ سَعِيدِ بْنِ الْمُسَيَّبِ أَيْضًا قَالَ : «قَضَى عُمَرُ - رَضِيَ اللَّهُ عَنْهُ - فِي الْعِنِّينِ ، أَنْ يُؤَجَّلَ سَنَةً»، وَرِجَالُهُ ثِقَاتٌ .

1046. Sa'îd bin al-Musaiyab also narrated,''Umar (RAA) ordained that an impotent husband must be given a chance for a year before divorcing him from his wife.' It is transmitted with a trustworthy chain of narrators.

# بَــابُ عِشْــرَةِ النِّسَــاءِ

## *Chapter III: Treatment of wives*

١٠٤٧ ــ عَنْ أَبِي هُرَيْرَةَ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ : «مَلْعُــونٌ مَنْ أَتَى امْرَأَةً فِي دُبُرِهَا». رَوَاهُ أَبُو دَاوُدَ ، وَالنَّسَائِيُّ وَاللَّفْظُ لَهُ وَرِجَالُهُ ثِقَاتٌ ، لَكِنْ أُعِلَّ بِالإِرْسَالِ .

1047. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **'He who has intercourse with his wife through her anus,[312] is cursed.'** Related by Abû Dawûd and An-Nasâ'î and the wording is his.

١٠٤٨ ــ وَعَــنِ ابْنِ عَبَّاسٍ – رَضِيَ اللَّهُ عَنْهُمَا – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ يَنْظُرُ اللَّهُ إِلَى رَجُلٍ أَتَى رَجُلاً أَوِ امْرَأَةً فِي دُبُرِهَا». رَوَاهُ التِّرْمِذِيُّ ، وَالنَّسَائِيُّ ، وَابْنُ حِبَّانَ ، وَأُعِلَّ بِالْوَقْفِ .

1048. Ibn 'Abbâs (RAA) narrated that the Messenger of Allâh ﷺ said, **"Allâh does not look at a man who had intercourse with another man or with a woman in her anus."** Related by At-Tirmidhî, An-Nasâ'î and Ibn Hibbân.

١٠٤٩ ــ وَعَــنْ أَبِي هُرَيْرَةَ – رَضِيَ اللَّهُ عَنْهُ – ، عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَــالَ : «مَنْ كَانَ يُؤْمِنُ بِاللَّهِ وَالْيَوْمِ الآخِرِ ، فَلاَ يُؤْذِي جَارَهُ ، وَاسْتَوْصُوا بِالنِّسَاءِ خَيْرًا ، فَإِنَّهُنَّ خُلِقْنَ مِنْ ضِلَعٍ أَعْوَجَ ، وَإِنَّ أَعْوَجَ شَيْءٍ فِي الضِّلَعِ أَعْلاَهُ ، فَإِنْ ذَهَبْتَ تُقِيمُهُ كَسَرْتَهُ ، وَإِنْ تَرَكْتَهُ لَمْ يَزَلْ أَعْوَجَ ، فَاسْتَوْصُوا بِالنِّسَاءِ خَيْرًا». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِلْبُخَارِيِّ .

وَلِمُسْــلِمٍ : «فَإِنِ اسْتَمْتَعْتَ بِهَا ، اسْتَمْتَعْتَ بِهَا ، وَبِهَا عِوَجٌ ، وَإِنْ ذَهَبْتَ تُقِيمُهَا كَسَرْتَهَا ، وَكَسْرُهَا طَلاَقُهَا».

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312- This is absolutely prohibited through the rulings of the Qur'ân and *Sunnah*.

1049. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"Whoever believes in Allâh and the Last Day, should not hurt**(cause problems to)**his neighbor. And I advise you to treat women kindly, for they are created from a rib, and the most crooked part of the rib is the upper part.**[313] **If you then try to straighten it, you will break it off, and if you leave it as it is, it will remain crooked. So, I advise you to treat women well."** Agreed upon and the wording is from Al-Bukhârî.

In another version by Muslim, **"So, if you enjoy her (company) then enjoy her while she is still crooked, and if you try to straighten this nature of hers, you will break her, and breaking her means divorcing her."**

١٠٥٠ ـ وَعَنْ جَابِرٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : كُنَّا مَعَ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فِي غَزْوَةٍ ، فَلَمَّا قَدِمْنَا الْمَدِينَةَ ذَهَبْنَا لِنَدْخُلَ فَقَالَ : « أَمْهِلُوا حَتَّى تَدْخُلُوا لَيْلاً - يَعْنِي عِشَاءً - لِكَيْ تَمْتَشِطَ الشَّعِثَةُ ، وَتَسْتَحِدَّ الْمُغِيبَةُ». مُتَّفَقٌ عَلَيْهِ .

وَفِي رِوَايَةٍ لِلْبُخَارِيِّ : «إِذَا أَطَالَ أَحَدُكُمُ الْغَيْبَةَ ، فَلاَ يَطْرُقْ أَهْلَهُ لَيْلاً».

1050. Jâbir (RAA) narrated, 'We were on an expedition with the Prophet ﷺ. then when we approached Madînah and we were about to enter the city, he said to us, **"Wait until you enter it at night** –at the time of *'Ishâ-* **so that the lady with unkempt hair may comb her hair, and the one whose husband has been absent (for along time) may shave her pubic area."** Agreed upon.

In another version by Al-Bukhârî, **"When anyone of you has been away from home for a long time he must not return to his family during the night** (i.e. surprise them while they are asleep)."

313- This hadîth refers to the woman's affectionate nature, which makes her fit for being a wife and a mother, and this is what the Prophet ﷺ means by saying that she was created from a crooked rib.

١٠٥١ ــ وَعَــنْ أَبِــي سَعِيدٍ الْخُدْرِيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِنَّ شَرَّ النَّاسِ عِنْدَ اللَّهِ مَنْزِلَةً يَوْمَ الْقِيَامَةِ ، الرَّجُلُ يُفْضِي إِلَى امْرَأَتِهِ ، وَتُفْضِي إِلَيْهِ ، ثُمَّ يَنْشُرُ سِرَّهَا». رَوَاهُ مُسْلِمٌ .

1051. Abû Sa'îd al-Khudrî (RAA) narrated that the Messenger of Allâh ﷺ said, **"Among the worst people in Allâh's sight, on the Day of Resurrection, is the man who copulates with his wife and she with him, and then spreads her secret."** Related by Muslim.

١٠٥٢ ــ وَعَــنْ حَكِــيمِ بْنِ مُعَاوِيَةَ عَنْ أَبِيهِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قُلْتُ : يَا رَسُولَ اللَّهِ ، مَا حَقُّ زَوْجِ أَحَدِنَا عَلَيْهِ ؟ قَالَ : «تُطْعِمُهَا إِذَا أَكَلْتَ ، وَتَكْسُوهَا إِذَا اكْتَسَيْتَ ، وَلاَ تَضْرِبِ الْوَجْهَ ، وَلاَ تُقَبِّحْ ، وَلاَ تَهْجُرْ إِلاَّ فِي الْبَيْتِ». رَوَاهُ أَحْمَدُ ، وَأَبُــو دَاوُدَ ، وَالنَّسَــائِيُّ ، وَابْــنُ مَاجَــهْ ، وَعَلَّــقَ الْبُخَارِيُّ بَعْضَهُ ، وَصَحَّحَهُ ابْنُ حِبَّانَ ، وَالْحَاكِمُ .

1052. Hakîm bin Mu'âwiyah narrated on the authority of his father (RAA), 'I asked, 'O Messenger of Allâh! What are the rights of one's wife upon her husband?' He answered ﷺ, **"To feed her when you eat, clothe her when you clothe yourself, not to slap her face or insult her, and not to abandon her except inside the house."** Related by Ahmad, Abû Dawûd, An-Nasâ'î and Ibn Mâjah. Ibn Hibbân and al-Hâkim graded it as *Sahîh*.

١٠٥٣ ــ وَعَــنْ جَابِــرِ بْنِ عَبْدِاللَّهِ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : «كَانَتْ الْيَهُودُ تَقُــولُ : إِذَا أَتَــى الــرَّجُلُ امْرَأَتَهُ مِنْ دُبُرِهَا فِي قُبُلِهَا كَانَ الْوَلَدُ أَحْوَلَ ، فَنَزَلَتْ : {نِسَاؤُكُمْ حَرْثٌ لَكُمْ فَأْتُوا حَرْثَكُمْ أَنَّى شِئْتُمْ}. مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِمُسْلِمٍ .

1053. Jâbir bin 'Abdullâh (RAA) narrated, 'The Jews used to say, 'When a man has intercourse with his wife through the vagina but being on her back, the child will have a squint. So, the verse was revealed, ***"Your wives are a tilth for you so go to your tilth when or how you wish."*** (2:223). Agreed upon and the wording is from Muslim.

١٠٥٤ ــ وَعَـــنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَـــيْهِ وَسَلَّمَ : «لَوْ أَنَّ أَحَدَكُمْ إِذَا أَرَادَ أَنْ يَأْتِيَ أَهْلَهُ قَالَ : بِسْمِ اللَّهِ ، اللَّهُمَّ جَنِّبْنَا الشَّيْطَانَ وَجَنِّبِ الشَّيْطَانَ مَا رَزَقْتَنَا ، فَإِنَّهُ إِنْ يُقَدَّرْ بَيْنَهُمَا وَلَدٌ فِي ذَلِكَ ، لَمْ يَضُرَّهُ الشَّيْطَانُ أَبَدًا». مُتَّفَقٌ عَلَيْهِ .

1054. Ibn ´Abbâs (RAA) narrated that the Messenger of Allâh ﷺ said, **"If any of you wants to have sexual intercourse with his wife, he should say, 'In the name of Allâh, O Allâh! Protect us from the devil and keep the devil away from what You grant us (i.e. offspring).' If it is predestined for them to have a child, the devil will never be able to harm him."** Agreed upon.

١٠٥٥ ــ وَعَـــنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - ، عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَـــالَ : «إِذَا دَعَا الرَّجُلُ امْرَأَتَهُ إِلَى فِرَاشِهِ ، فَأَبَتْ أَنْ تَجِيءَ ، فَبَاتَ غَضْبَانَ ، لَعَنَتْهَا الْمَلَائِكَةُ حَتَّى تُصْبِحَ». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِلْبُخَارِيِّ .

1055. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"Whenever a man calls his wife to his bed** (for intercourse) **but she refuses to come, the angels curse her until the morning."** Agreed upon and the wording is from Al-Bukhârî.

Another version by Muslim says, **"and He Who is in heaven (i.e. Allâh) remains displeased with her, until her husband has reconciled with her."**

١٠٥٦ ــ وَعَـــنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - : أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لَعَنَ الْوَاصِلَةَ وَالْمُسْتَوْصِلَةَ ، وَالْوَاشِمَةَ وَالْمُسْتَوْشِمَةَ . مُتَّفَقٌ عَلَيْهِ .

1056. Ibn ´Umar (RAA) narrated, 'The Messenger of Allâh ﷺ cursed the *Wâsilah* (the lady who adds artificial hair to hers or to someone else's) and *al-Mustawsilah* (the one who asks for it) and also the lady, who tattoos (herself or someone else) or gets herself tattooed (i.e. asks for it).' Agreed upon.

١٠٥٧ ــ وَعَــنْ جُذَامَةَ بِنْتِ وَهْبٍ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : حَضَرْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فِي أُنَاسٍ ، وَهُوَ يَقُولُ : «لَقَدْ هَمَمْتُ أَنْ أَنْهَى عَنِ الْغِيْلَةِ ، فَنَظَرْتُ فِي الرُّومِ وَفَارِسَ ، فَإِذَا هُمْ يُغِيلُونَ أَوْلاَدَهُمْ ، فَلاَ يَضُرُّ ذَلِكَ أَوْلاَدَهُمْ شَيْئًا» ثُمَّ سَأَلُوهُ عَنِ الْعَزْلِ ، فَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «ذَلِكَ الْوَأْدُ الْخَفِيُّ». رَوَاهُ مُسْلِمٌ .

1057. Judhâmah bint Wahb (RAA) said, 'I was with Allâh's Messenger ﷺ along with some people when he said, **"I intended to prohibit *Ghîlah*[314] but I considered the Romans and the Persians and found that they do it without any harm being caused to their children."** Then he was asked about *'Azl* (Coitus interruptus), he replied ﷺ, **"This is secret** (way of) **burying alive."** Related by Muslim.

١٠٥٨ ــ وَعَــنْ أَبِــي سَــعِيدٍ الْخُدْرِيِّ - رَضِيَ اللَّهُ عَنْهُ - : أَنَّ رَجُلاً قَالَ : يَا رَسُــولَ اللَّهِ ، إِنَّ لِي جَارِيَةً ، وَأَنَا أَعْزِلُ عَنْهَا ، وأَنَا أَكْرَهُ أَن تَحْمِلَ ، وَأَنَا أُرِيدُ مَا يُــرِيدُ الرِّجَالُ ، وَإِنَّ الْيَهُودَ تَحَدَّثُ ، أَنَّ الْعَزْلَ الْمَوْءُودَةُ الصُّغْرَى ، قَالَ : «كَذَبَتِ الْــيَهُودُ ، لَوْ أَرَادَ اللَّهُ أَنْ يَخْلُقَهُ مَا اسْتَطَعْتَ أَنْ تَصْرِفَهُ». رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ - وَاللَّفْظُ لَهُ - وَالنَّسَائِيُّ ، وَالطَّحَاوِيُّ ، وَرِجَالُهُ ثِقَاتٌ .

1058. Abû Sa'îd al-Khudrî (RAA) narrated, 'A man said, 'Allâh's Messenger! I have a slave girl and I practice *'Azl* with her. I do not want her to conceive, but I have desire in what men (usually) have (i.e. intercourse). But the Jews say, that *'Azl* is the minor –type –of burying alive.' The Messenger of Allâh ﷺ said, **"The Jews told a lie, for if Allâh wishes to create it** (an offspring) **you would not be able to stop it."** Related by Ahmad and Abû Dawûd and the wording is his. It was also narrated by an-Nasâ'î and at-Tahâwî and its narrators are trustworthy.

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314- *Ghîlah* means either suckling during pregnancy, or intercourse with the wife while she is breast feeding a child.

١٠٥٩ ــ وَعَنْ جَابِرٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «كُنَّا نَعْزِلُ عَلَى عَهْدِ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، وَالْقُرْآنُ يَنْزِلُ ، وَلَوْ كَانَ شَيْئًا يُنْهَى عَنْهُ ، لَنَهَانَا عَنْهُ الْقُرْآنُ». مُتَّفَقٌ عَلَيْهِ .

وَلِمُسْلِمٍ : «فَبَلَغَ ذَلِكَ نَبِيَّ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَلَمْ يَنْهَنَا عَنْهُ».

1059. Jâbir (RAA) narrated, 'We used to practice *'Azl* during the lifetime of the Prophet ﷺ while the Qur'ân was being revealed, and if it was prohibited, the Qur'ân would have prohibited us from doing it.' Agreed upon.

And in a version related by Muslim, 'The Messenger of Allâh ﷺ heard about it but did not prohibit us from doing so.'

١٠٦٠ ــ وَعَنْ أَنَسِ بْنِ مَالِكٍ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ يَطُوفُ عَلَى نِسَائِهِ بِغُسْلٍ وَاحِدٍ». أَخْرَجَاهُ ، وَاللَّفْظُ لِمُسْلِمٍ .

1060. Anas Ibn Mâlik (RAA) narrated, 'The Messenger of Allâh ﷺ used to have intercourse with all of his wives, with only one single *Ghusl*.' Agreed upon and the wording is from Muslim.

## بَابُ الصَّدَاقِ

## *Chapter IV: The Dowry*

١٠٦١ ــ عَنْ أَنَسٍ - رَضِيَ اللَّهُ عَنْهُ - ، عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «أَنَّهُ أَعْتَقَ صَفِيَّةَ ، وَجَعَلَ عِتْقَهَا صَدَاقَهَا». مُتَّفَقٌ عَلَيْهِ .

1061. Anas Ibn Mâlik (RAA) narrated, 'The Messenger of Allâh ﷺ freed Safiyah and made her freedom as her dowry.' Agreed upon.

١٠٦٢ ــ وَعَنْ أَبِي سَلَمَةَ بْنِ عَبْدِالرَّحْمَنِ - رَضِيَ اللَّهُ عَنْهُ - أَنَّهُ قَالَ : سَأَلْتُ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - ، كَمْ كَانَ صَدَاقُ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ؟ قَالَتْ : «كَانَ صَدَاقُهُ لأَزْوَاجِهِ ثِنْتَيْ عَشْرَةَ أُوقِيَّةً وَنَشًّا ، قَالَتْ : أَتَدْرِي مَا النَّشُّ ؟

قَــالَ : قُلْــتُ : لاَ . قَالَتْ : نِصْفُ أُوقِيَّةٍ ، فَتِلْكَ خَمْسُمِائَةِ دِرْهَمٍ ، فَهَذَا صَدَاقُ رَسُولِ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لأَزْوَاجِهِ». رَوَاهُ مُسْلِمٌ .

1062. Abû Salamah bin ´Abdur Rahmân (RAA) narrated, 'I asked ´Â'ishah (RAA), 'How much was the dowry given by the Messenger of Allâh ﷺ (to his wives)?' She replied, 'The dowry which the Prophet ﷺ gave to his wives was only twelve *Ûqiyahs* and a *Nash.*' She asked, 'Do you know what a *Nash* is?' I replied, 'No.' She said, 'half an *Ûqiyah.* This would make 500 *Dirhams* (because the amount of one *Ûqiyah* equals forty *Dirhams* and the *Nash* equals twenty).' Related by Muslim.

١٠٦٣ ــ وَعَــنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : «لَمَّا تَزَوَّجَ عَلِيٌّ فَاطِمَةَ ، قَــالَ لَهُ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «أَعْطِهَا شَيْئًا». قَالَ : مَا عِنْدِي شَيْءٌ . قَالَ : «فَأَيْنَ دِرْعُكَ الْحُطَمِيَّةُ ؟» رَوَاهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ ، وَصَحَّحَهُ الْحَاكِمُ .

1063. Ibn ´Abbâs (RAA) narrated, 'When ´Alî married Fâtimah, the Messenger of Allâh ﷺ said to him, **'Give her something** (as dowry).' ´Alî replied, 'I have nothing (to give her).' The Messenger of Allâh ﷺ said to him,**'Where is your *Hutamiyah* mantle?'** Related by Abû Dawûd and An-Nasâ'î. Al-Hâkim graded it as *Sahîh*.

١٠٦٤ ــ وَعَــنْ عَمْرِو بْنِ شُعَيْبٍ عَنْ أَبِيهِ عَنْ جَدِّهِ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «أَيُّمَا امْرَأَةٍ نُكِحَتْ عَلَى صَدَاقٍ ، أَوْ حِبَاءٍ ، أَوْ عِــدَةٍ ، قَبْلَ عِصْمَةِ النِّكَاحِ ، فَهُوَ لَهَا ، وَمَا كَانَ بَعْدَ عِصْمَةِ النِّكَاحِ ، فَهُوَ لِمَنْ أُعْطِــيَهُ ، وَأَحَــقُّ مَــا أُكْرِمَ الرَّجُلَ عَلَيْهِ ابْنَتُهُ ، أَوْ أُخْتُهُ». رَوَاهُ أَحْمَدُ ، وَالأَرْبَعَةُ إِلاَّ التِّرْمِذِيَّ .

1064. ´Amro bin Shu´aib narrated on the authority of his father on the authority of his grandfather (RAA), that the Messenger of Allâh ﷺ said, **"When a woman gets married for a specified dowry, a gift** (extra to her dowry) **or a promise** (to give her something) **before contracting the marriage, it is hers, and what is** (promised) **after contracting the marriage, belongs**

**to whoever the promise was given to** (whether to the woman or her guardian).**The most honorable property a man is given is that which he gets on account of his daughter or sister's marriage."** Related by Ahmad and the four Imâms except At-Tirmidhî.

١٠٦٥ ــ وَعَـــنْ عَلْقَمَةَ ، عَنِ ابْنِ مَسْعُودٍ : أَنَّهُ سُئِلَ عَنْ رَجُلٍ تَزَوَّجَ امْرَأَةً ، وَلَمْ يَفْرِضْ لَهَا صَدَاقًا ، وَلَمْ يَدْخُلْ بِهَا حَتَّى مَاتَ ، فَقَالَ ابْنُ مَسْعُودٍ : لَهَا مِثْلُ صَدَاقِ نِسَائِهَا ، لاَ وَكْسَ وَلاَ شَطَطَ ، وَعَلَيْهَا الْعِدَّةُ ، وَلَهَا الْمِيرَاثُ ، فَقَامَ مَعْقِلُ بنُ سِنَانٍ الأَشْـــجَعِيُّ فَقَـــالَ : قَضَى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فِي بَرْوَعَ بِنْتِ وَاشِقٍ – امْـــرَأَةٍ مِنَّا – مِثْلَ مَا قَضَيْتَ . فَفَرِحَ بِهَا ابْنُ مَسْعُودٍ . رَوَاهُ أَحْمَدُ ، وَالأَرْبَعَةُ ، وَصَحَّحَهُ التِّرْمِذِيُّ ، وَحَسَّنَهُ جَمَاعَةٌ .

1065. ´Alqamah narrated on the authority of Ibn Mas´ûd, 'He was asked about a man who had married a woman but had not specified his wife's amount of dowry until he died before the consummation. Ibn Mas´ûd said, 'She deserves the usual amount of marriage dowry given to similar brides (of the same standard of living), no more and no less. She must also observe *´Iddah*[315] (for four months and ten days, as it is the *´Iddah* observed after the death of the husband), before marrying again and she is also entitled to inheritance. Thereupon Ma´qal bin Sinân al-Ashja´î got up and said, 'This is the judgment of the Prophet ﷺ in the case of a woman called Barwa´ bint Wâshiq –a woman of my people- as what you judged.' Ibn Mas´ûd was very happy about what he heard.' Related by Ahmad and the four Imâms. At-Tirmidhî graded it as *Sahîh*.

١٠٦٦ ــ وَعَـــنْ جَابِرِ بْنِ عَبْدِاللَّهِ – رَضِيَ اللَّهُ عَنْهُمَا – : أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ قَـــالَ : «مَـــنْ أَعْطَى فِي صَدَاقِ امْرَأَةٍ سُوَيْقًا ، أَوْ تَمْرًا ، فَقَدْ اسْتَحَلَّ». أَخْرَجَهُ أَبُو دَاوُدَ ، وَأَشَارَ إِلَى تَرْجِيحِ وَقْفِهِ .

315- A woman's post marital waiting period whether after divorce (to verify that she is not pregnant) or out of mourning (after the husband's death), before she can remarry.

1066. Jâbir bin ´Abdullâh (RAA) narrated that the Messenger of Allâh ﷺ said, **"If anyone gives a dower to a woman in the form of some flour or dates, he has made her lawful for him."** Related by Abû Dawûd.

١٠٦٧ ــ وَعَنْ عَبْدِاللَّهِ بْنِ عَامِرِ بْنِ رَبِيعَةَ ، عَنْ أَبِيهِ ، - رَضِيَ اللَّهُ عَنْهُ - : أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَجَازَ نِكَاحَ امْرَأَةٍ عَلَى نَعْلَيْنِ . أَخْرَجَهُ التِّرْمِذِيُّ وَصَحَّحَهُ ، وَخُولِفَ فِي ذَلِكَ .

1067. ´Abdullâh bin ´Âmir bin Rabî´ah narrated on the authority of his father (RAA) that the Messenger of Allâh ﷺ gave his approval to the marriage of a woman for two sandals as dowry.' Related by At-Tirmidhî and graded it as *Sahîh*. Some scholars disagreed with him.

١٠٦٨ ــ وَعَنْ سَهْلِ بْنِ سَعْدٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ: «زَوَّجَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ رَجُلاً امْرَأَةً بِخَاتَمٍ مِنْ حَدِيدٍ». أَخْرَجَهُ الْحَاكِمُ ، وَهُوَ طَرَفٌ مِنَ الْحَدِيثِ الطَّوِيلِ الْمُتَقَدِّمِ فِي أَوَائِلِ النِّكَاحِ .

1068. Sahl bin Sa´d (RAA) narrated, 'The Messenger of Allâh ﷺ married a man to a woman for a dower of an iron ring.' Related by Al-Hâkim (part of the long hadîth presented earlier, 1007).

١٠٦٩ ــ وَعَنْ عَلِيٍّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «لاَ يَكُونُ الْمَهْرُ أَقَلَّ مِنْ عَشَرَةِ دَرَاهِمَ». أَخْرَجَهُ الدَّارَقُطْنِيُّ مَوْقُوفًا ، وَفِي سَنَدِهِ مَقَالٌ .

1069. ´Alî (RAA) narrated 'The dower should not be less than ten *Dirhams*.' Related by Ad-Dâraqutnî with a defected chain of narrators.

١٠٧٠ ــ وَعَنْ عُقْبَةَ بْنِ عَامِرٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «خَيْرُ الصَّدَاقِ أَيْسَرُهُ». أَخْرَجَهُ أَبُو دَاوُدَ ، وَصَحَّحَهُ الْحَاكِمُ .

1070. ´Uqbah bin ´Âmir (RAA) narrated that the Messenger of Allâh ﷺ said, **"The best dower is the easiest one."** Related by Abû Dawûd. Al-Hâkim graded it as *Sahîh*.

١٠٧١ ــ وَعَــنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - : أَنَّ عَمْرَةَ بِنْتَ الْجَوْنِ تَعَوَّذَتْ مِنْ رَسُولِ اللَّهِ حِينَ أُدْخِلَتْ عَلَيْهِ ، - تَعْنِي لَمَّا تَزَوَّجَهَا - فَقَالَ : «لَقَدْ عُذْتِ بِمُعَاذٍ» فَطَلَّقَهَــا ، وَأَمَــرَ أُسَــامَةَ فَمَتَّعَهَا بِثَلَاثَةِ أَثْوَابٍ . أَخْرَجَهُ ابْنُ مَاجَهْ ، وَفِي إِسْنَادِهِ رَاوٍ مَتْرُوكٌ .

1071. ´Â'ishah (RAA) narrated that ´Amrah bint al-Jawn sought refuge in Allâh from Allâh's Messenger ﷺ when she entered his presence –i.e. when he married her- and he ﷺ said to her, **"You have sought refuge in The One in Whom men seek refuge."** So he divorced her, and commanded Usâmah to give her three garments as a gift (i.e. her amenity payment). Related by Ibn Mâjah but there is an unreliable narrator in its chain.

١٠٧٢ ــ وَأَصْلُ الْقِصَّةِ فِي الصَّحِيحِ مِنْ حَدِيثِ أَبِي أُسَيْدٍ السَّاعِدِيِّ .

1072. There is a similar narration in Sahîh al-Bukhârî on the authority of Abû Usaid as-Sâ´idî.

## بَــابُ الْوَلِيمَــةِ

## *Chapter V: The Wedding Banquet (Walîmah)*

١٠٧٣ ــ عَنْ أَنَسِ بْنِ مَالِكٍ - رَضِيَ اللَّهُ عَنْهُ - : أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ رَأَى عَلَــى عَبْدِالرَّحْمَنِ بْنِ عَوْفٍ أَثَرَ صُفْرَةٍ ، فَقَالَ : «مَا هَذَا ؟» قَالَ : يَا رَسُولَ اللَّــهِ ، إِنِّي تَزَوَّجْتُ امْرَأَةً عَلَى وَزْنِ نَوَاةٍ مِنْ ذَهَبٍ . قَالَ : «فَبَارَكَ اللَّهُ لَكَ ، أَوْلِمْ وَلَوْ بِشَاةٍ». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِمُسْلِمٍ .

1073. Anas bin Mâlik (RAA) narrated that the Messenger of Allâh ﷺ saw ´Abdur Rahmân bin ´Auf with traces of saffron on his clothes. He thereupon asked him, **"What is that?"** ´Abdur Rahmân answered, 'I married an Ansârî woman for a *Nawât* (five *Dirhams*) of gold.' The Messenger of Allâh ﷺ said to him, **"May Allâh bless you. Make a *Walîmah* (wedding banquet) even with only one sheep."** Agreed upon and the wording is from Muslim.

١٠٧٤ ــ وَعَـــنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا دُعِيَ أَحَدُكُمْ إِلَى الْوَلِيمَةِ فَلْيَأْتِهَا». مُتَّفَقٌ عَلَيْهِ .
وَلِمُسْلِمٍ : «إِذَا دَعَا أَحَدُكُمْ أَخَاهُ فَلْيُجِبْ ، عُرْسًا كَانَ أَوْ نَحْوَهُ».

1074. Ibn 'Umar (RAA) narrated that the Messenger of Allâh ﷺ said, **"When one of you is invited to a *Walîmah*, he should accept the invitation."** Agreed upon.

In a version by Muslim, **"When one of you is invited by his brother, he must accept the invitation, whether it be a wedding banquet or something similar."**

١٠٧٥ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «شَرُّ الطَّعَامِ طَعَامُ الْوَلِيمَةِ يَمْنَعُهَا مَنْ يَأْتِيهَا ، وَيُدْعَى إِلَيْهَا مَنْ يَأْبَاهَا ، وَمَنْ لَمْ يُجِبِ الدَّعْوَةَ ، فَقَدْ عَصَى اللَّهَ وَرَسُولَهُ». أَخْرَجَهُ مُسْلِمٌ .

1075. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"The worst food is that of a *Walîmah* from which is turned away whoever comes to it** (i.e. the poor)**, and to which is invited whoever refuses** (to come, i.e. the rich). **He who does not accept the invitation has disobeyed Allâh and His Messenger."** Related by Muslim.

١٠٧٦ ــ وَعَنْهُ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا دُعِـــيَ أَحَدُكُمْ فَلْيُجِبْ ، فَإِنْ كَانَ صَائِمًا فَلْيُصَلِّ ، وَإِنْ كَانَ مُفْطِرًا فَلْيَطْعَمْ». أَخْرَجَهُ مُسْلِمٌ أَيْضًا .

1076. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"If anyone is invited** (to a *Walîmah*) **he must accept the invitation. If he is fasting, he should invoke Allâh** (i.e. making invocation for the one who invited him)**, and if he is not fasting, he should eat."** Related by Muslim.

١٠٧٧ ــ وَلَهُ مِنْ حَدِيثِ جَابِرٍ نَحْوُهُ وَقَالَ : «فَإِنْ شَاءَ طَعِمَ ، وَإِنْ شَاءَ تَرَكَ».

1077. Muslim has also transmitted on the authority of Jâbir a similar tradition that goes, **"If he wishes to eat he could do so, and if he does not he may abstain from eating."**

١٠٧٨ ــ وَعَنِ ابْنِ مَسْعُودٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «طَعَامُ الْوَلِيمَةِ أَوَّلَ يَوْمٍ حَقٌّ ، وَطَعَامُ يَوْمِ الثَّانِي سُنَّةٌ ، وَطَعَامُ يَوْمِ الثَّالِثِ سُمْعَةٌ ، وَمَنْ سَمَّعَ سَمَّعَ اللَّهُ بِهِ». رَوَاهُ التِّرْمِذِيُّ وَاسْتَغْرَبَهُ ، وَرِجَالُهُ رِجَالُ الصَّحِيحِ .

1078. Ibn Mas´ûd (RAA) narrated that the Messenger of Allâh ﷺ said, **"The food of a *Walîmah* offered on the first day** (of marriage) **is a duty, and that offered on the second day is *Sunnah*** (i.e. just preferable) **and the food of the third day is a sign of showing off (and hypocrisy), if anyone does something just to show off, Allâh will slander him**[316] (publicly in this life or in the Hereafter)." Related by At-Tirmidhî.

١٠٧٩ ــ وَلَهُ شَاهِدٌ عَنْ أَنَسٍ عِنْدَ ابْنِ مَاجَهْ .

1079. A similar tradition is related by Ibn Mâjah on the authority of Anas.

١٠٨٠ ــ وَعَنْ صَفِيَّةَ بِنْتِ شَيْبَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «أَوْلَمَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَلَى بَعْضِ نِسَائِهِ بِمُدَّيْنِ مِنْ شَعِيرٍ». أَخْرَجَهُ الْبُخَارِيُّ .

1080. Safiyah bint Shaibah (RAA) narrated that the Messenger of Allâh ﷺ gave a banquet with two *Mudds* of barley when he married some of his wives.' Related by al-Bukhârî.

١٠٨١ ــ وَعَنْ أَنَسٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «أَقَامَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بَيْنَ خَيْبَرَ وَالْمَدِينَةِ ثَلاَثَ لَيَالٍ يُبْنَى عَلَيْهِ بِصَفِيَّةَ ، فَدَعَوْتُ الْمُسْلِمِينَ إِلَى وَلِيمَتِهِ ، فَمَا كَانَ فِيهَا مِنْ خُبْزٍ وَلاَ لَحْمٍ ، وَمَا كَانَ فِيهَا إِلاَّ أَنْ أَمَرَ بِالأَنْطَاعِ فَبُسِطَتْ ، فَأُلْقِيَ عَلَيْهَا التَّمْرُ وَالأَقِطُ وَالسَّمْنُ». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِلْبُخَارِيِّ .

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316- Imâm Al-Bukhârî said that the Messenger of Allâh ﷺ did not specify a day for the *Walîmah*, and for those who could not come the first day could come later, unless what he means in this Hadîth is those who doe it for the sake of showing off and out of hypocrisy and not to follow the *Sunnah*.

1081. Anas (RAA) narrated, 'The Messenger of Allâh ﷺ stayed for three nights at a place between Khaibar and Madînah, and there he consummated his marriage with Safiyah. I invited the Muslims to his *Walîmah* that included neither meat nor bread. It was only that the Prophet ﷺ ordered that some dining sheets be spread, and dates, dried cheese and clarified butter were provided on it.' Agreed upon and the wording is from al-Bukhârî..

١٠٨٢ ـــ وَعَــنْ رَجُلٍ مِنْ أَصْحَابِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «إِذَا اجْتَمَعَ دَاعِــيَانِ ، فَأَجِــبْ أَقْــرَبَهُمَا بَابًا ، فَإِنْ سَبَقَ أَحَدُهُمَا فَأَجِبِ الَّذِي سَبَقَ». رَوَاهُ أَبُو دَاوُدَ ، وَسَنَدُهُ ضَعِيفٌ .

1082. A Companion narrated that the Prophet ﷺ said, **"If two people invite you at the same time to a *Walîmah*, accept the invitation of the one whose door is closer to you** (i.e. the closest neighbor). **But if one of them comes before the other, accept the invitation of the one who came first."** Related by Abû Dawûd with a weak chain of narrators.

١٠٨٣ ـــ وَعَــنْ أَبِي جُحَيْفَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ آكُلُ مُتَّكِئًا». رَوَاهُ الْبُخَارِيُّ .

1083. Abû Juhaifah (RAA) narrated that the Messenger of Allâh ﷺ said, **"I do not eat while I am reclining."** Related by Al-Bukhârî.

١٠٨٤ ـــ وَعَنْ عُمَرَ بْنِ أَبِي سَلَمَةَ قَالَ : قَالَ لِي رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «يَا غُلاَمُ ، سَمِّ اللَّهَ ، وَكُلْ بِيَمِينِكَ ، وَكُلْ مِمَّا يَلِيكَ». مُتَّفَقٌ عَلَيْهِ .

1084. 'Umar bin Abû Salamah narrated that the Messenger of Allâh ﷺ said to me, **"Young man, say *Bismillâh* (mention the Name of Allâh) before you eat, eat with your right hand and eat from what is next to you."** Agreed upon.

١٠٨٥ ـــ وَعَــنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - : أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أُتِيَ بِقَصْعَةٍ مِنْ ثَرِيدٍ ، فَقَــالَ : « كُلُوا مِنْ جَوَانِبِهَا ، وَلاَ تَأْكُلُوا مِنْ وَسَطِهَا ، فَإِنَّ

الْبَرَكَةَ تَنْزِلُ فِي وَسَطِهَا». رَوَاهُ الأَرْبَعَةُ ، وَهَذَا لَفْظُ النَّسَائِيِّ ، وَسَنَدُهُ صَحِيحٌ .

1085. Ibn ´Abbâs (RAA) narrated, 'The Messenger of Allâh ﷺ was brought a bowl of *Tharîd* (crumbled bread, soup and meat), so he said, **"Eat from the sides and not from the middle** (of the dish) **for the blessing descends in the middle of it."** Related by the four Imâms with a sound chain of narrators. The wording is from an-Nasâ'î.

١٠٨٦ ــ وَعَنْ أَبِي هُرَيْرَةَ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : «مَا عَابَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ طَعَامًا قَطُّ ، كَانَ إِذَا اشْتَهَى شَيْئًا أَكَلَهُ ، وَإِنْ كَرِهَهُ تَرَكَهُ». مُتَّفَقٌ عَلَيْهِ .

1086. Abû Hurairah (RAA) narrated, 'The Messenger of Allâh ﷺ never showed a sign of dissatisfaction towards any food (presented to him). When he liked something he would eat it, but if he disliked it he did not touch it." Agreed upon.

١٠٨٧ ــ وَعَنْ جَابِرٍ – رَضِيَ اللَّهُ تَعَالَى عَنْهُ – ، عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لاَ تَأْكُلُوا بِالشِّمَالِ ، فَإِنَّ الشَّيْطَانَ يَأْكُلُ بِالشِّمَالِ». رَوَاهُ مُسْلِمٌ .

1087. Jâbir (RAA) narrated that the Messenger of Allâh ﷺ said, **"Do not eat with your left hand, for the devil eats with his left hand."** Related by Muslim.

١٠٨٨ ــ وَعَنْ أَبِي قَتَادَةَ – رَضِيَ اللَّهُ عَنْهُ – : أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «إِذَا شَرِبَ أَحَدُكُمْ فَلاَ يَتَنَفَّسْ فِي الإِنَاءِ». مُتَّفَقٌ عَلَيْهِ .

1088. Abû Qatâdah (RAA) narrated that the Messenger of Allâh ﷺ said, **"When anyone of you drinks, he should not breathe into the vessel** (he is drinking from)." Agreed upon.

١٠٨٩ ــ وَلأَبِي دَاوُدَ ، عَنِ ابْنِ عَبَّاسٍ – رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا – نَحْوُهُ ، وَزَادَ : «وَيَنْفُخْ فِيهِ». وَصَحَّحَهُ التِّرْمِذِيُّ .

1089. Abû Dawûd related a similar narration on the authority of Ibn ´Abbâs but with the addition, **"or blows in it."** At-Tirmidhî graded it as *Sahîh*.

# بَـــابُ الْقَسْـــمِ

## *Chapter VI: Sharing the Time (between two wives or more)*

١٠٩٠ ـــ عَنْ عَائِشَةَ – رَضِيَ اللَّهُ عَنْهَا – قَالَتْ : كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ يَقْسِمُ لِنِسَائِهِ فَيَعْدِلُ ، وَيَقُولُ : «اللَّهُمَّ هَذَا قَسْمِي فِيمَا أَمْلِكُ ، فَلاَ تَلُمْنِي فِـــيمَا تَمْلِـــكُ وَلاَ أَمْلِكُ». رَوَاهُ الأَرْبَعَةُ ، وَصَحَّحَهُ ابْنُ حِبَّانَ ، وَالْحَاكِمُ ، وَلَكِنْ رَجَّحَ التِّرْمِذِيُّ إِرْسَالَهُ .

1090. 'Â'ishah (RAA) narrated, 'Allâh's Messenger ﷺ used to divide the nights between his wives equally, and would say, **"O Allâh! This is my division in what I can control** (i.e. the time). **So, do not blame me in what You have control over but I don't** (i.e. love and feelings)." Related by the four Imâms. Ibn Hibbân and al-Hâkim graded it as *Sahîh,* but at-Tirmidhî said that it is most probably *Hadîth Mursal.*

١٠٩١ ـــ وَعَـــنْ أَبِـــي هُرَيْرَةَ – رَضِيَ اللَّهُ عَنْهُ – : أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَـــالَ : «مَنْ كَانَتْ لَهُ امْرَأَتَانِ فَمَالَ إِلَى إِحْدَاهُمَا ، جَاءَ يَوْمَ الْقِيَامَةِ وَشِقُّهُ مَائِلٌ». رَوَاهُ أَحْمَدُ ، وَالأَرْبَعَةُ ، وَسَنَدُهُ صَحِيحٌ .

1091. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"Whoever has two wives and inclines to one of them, will come on the Day of Judgment with one of his sides paralyzed."** Related by Ahmad and the four Imâms with a sound chain of narrators.

١٠٩٢ ـــ وَعَنْ أَنَسٍ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : «مِنَ السُّنَّةِ إِذَا تَزَوَّجَ الرَّجُلُ الْبِكْرَ عَلَـــى الثَّيِّبِ ، أَقَامَ عِنْدَهَا سَبْعًا ، ثُمَّ قَسَمَ ، وَإِذَا تَزَوَّجَ الثَّيِّبَ أَقَامَ عِنْدَهَا ثَلاَثًا ، ثُمَّ قَسَمَ». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِلْبُخَارِيِّ .

1092. Anas (RAA) narrated, "It is part of the *Sunnah* of the Prophet ﷺ that if someone marries a virgin and he has already a matron, then he should stay with the virgin for seven days; and if

someone marries a matron, then he should stay with her for three days, and then he starts to take turns between them (equally).' Agreed upon and the wording is from Al-Bukhârî.

١٠٩٣ ــ وَعَنْ أُمِّ سَلَمَةَ - رَضِيَ اللَّهُ عَنْهَا - : أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لَمَّا تَزَوَّجَهَا أَقَامَ عِنْدَهَا ثَلاثًا ، وَقَالَ : «إِنَّهُ لَيْسَ بِكِ عَلَى أَهْلِكِ هَوَانٌ ، إِنْ شِئْتِ سَبَّعْتُ لَكِ ، وَإِنْ سَبَّعْتُ لَكِ سَبَّعْتُ لِنِسَائِي». رَوَاهُ مُسْلِمٌ .

1093. Umm Salamah (RAA) narrated, 'When the Messenger of Allâh ﷺ married her, he stayed with her for three nights and then said, **"You will get all your rights fully with me. If you wish I shall spend seven nights with you, but if I spend seven nights with you, I have to spend the same time with all the other wives** (i.e. anyone he marries who is a matron, he will spend seven nights with her. But the rule that was set by the Prophet ﷺ is that the virgin is entitled to seven nights and the matron to three)**."** Related by Muslim.

١٠٩٤ ــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - : «أَنَّ سَوْدَةَ بِنْتَ زَمْعَةَ وَهَبَتْ يَوْمَهَا لِعَائِشَةَ ، وَكَانَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقْسِمُ لِعَائِشَةَ يَوْمَهَا وَيَوْمَ سَوْدَةَ». مُتَّفَقٌ عَلَيْهِ .

1094. 'Â'ishah (RAA) narrated that Saudah the wife of Allâh's Messenger ﷺ gave up her turn to 'Â'ishah (RAA). So the Prophet ﷺ used to stay with 'Â'ishah on her night, and the night that was originally given to Saudah.' Agreed upon.

١٠٩٥ ــ وَعَنْ عُرْوَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَتْ عَائِشَةُ - رَضِيَ اللَّهُ عَنْهَا - : «يَا ابْنَ أُخْتِي ، كَانَ رَسُولُ اللَّه صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لاَ يُفَضِّلُ بَعْضَنَا عَلَى بَعْضٍ فِي الْقَسْمِ مِنْ مَكْثِه عِنْدَنَا ، وَكَانَ قَلَّ يَوْمٌ إِلاَّ وَهُوَ يَطُوفُ عَلَيْنَا جَمِيعًا ، فَيَدْنُو مِنْ كُلِّ امْرَأَة مِنْ غَيْرِ مَسِيسٍ ، حَتَّى يَبْلُغَ الَّتِي هُوَ يَوْمُهَا ، فَيَبِيتُ عِنْدَهَا». رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ - وَاللَّفْظُ لَهُ - وَصَحَّحَهُ الْحَاكِمُ .

1095. 'Urwah (RAA) narrated that "Â'ishah (RAA) said, 'My

sister's son, the Messenger of Allâh ﷺ would not give preference to one of his wives over the others as to the division of the nights he spends (with each of us) and he was just. It was very rare that a day would pass without him visiting each one of us. He would come close to each one he is visiting(cuddling or kissing) but would not have intercourse with her, until he is in the house of the wife whose turn is that night, then he would spend the night there.' Related by Ahmad and Abû Dawûd and the wording is his. Al-Hâkim graded it as *Sahîh*.

١٠٩٦ ـــ وَلِمُسْلِمٍ عَنْ عَائِشَةَ – رَضِيَ اللَّهُ عَنْهَا – قَالَتْ : «كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِذَا صَلَّى الْعَصْرَ دَارَ عَلَى نِسَائِهِ ، ثُمَّ يَدْنُو مِنْهُنَّ .» الْحَدِيثَ .

1096. Muslim transmitted on the authority of 'Â'ishah (RAA) that she said, 'When The Messenger of Allâh ﷺ prayed *'Asr*, he would visit all of his wives, coming close to each of them but...(as the hadîth above).'

١٠٩٧ ـــ وَعَنْ عَائِشَةَ – رَضِيَ اللَّهُ عَنْهَا – : أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ يَسْأَلُ فِي مَرَضِهِ الَّذِي مَاتَ فِيهِ : «أَيْنَ أَنَا غَدًا ؟» – يُرِيدُ يَوْمَ عَائِشَةَ – فَأَذِنَ لَهُ أَزْوَاجُهُ يَكُونُ حَيْثُ شَاءَ ، فَكَانَ فِي بَيْتِ عَائِشَةَ . مُتَّفَقٌ عَلَيْهِ .

1097. 'Â'ishah (RAA) narrated, 'During the fatal illness of the Messenger of Allâh ﷺ he used to ask his wives, **"Where shall I stay tomorrow?** (meaning with which wife) He meant to ask about 'Â'ishah's turn. His wives therefore permitted him to go where he wished, so he stayed in 'Â'ishah's house (until he died there).'Agreed upon.

١٠٩٨ ـــ وَعَنْهَا قَالَتْ : «كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِذَا أَرَادَ سَفَرًا أَقْرَعَ بَيْنَ نِسَائِهِ ، فَأَيَّتُهُنَّ خَرَجَ سَهْمُهَا ، خَرَجَ بِهَا مَعَهُ». مُتَّفَقٌ عَلَيْهِ .

1098. 'Â'ishah (RAA) narrated, 'When the Messenger of Allâh ﷺ intended to go on a journey, he would draw lots. The one whose lot came out, would go with him on the journey.' Agreed upon.

١٠٩٩ ــ وَعَــنْ عَبْدِاللَّهِ بْنِ زَمْعَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ يَجْلِدْ أَحَدُكُمْ امْرَأَتَهُ جَلْدَ الْعَبْدِ». رَوَاهُ الْبُخَارِيُّ .

1099. ´Abdullâh bin Zam´ah (RAA) narrated that the Messenger of Allâh ﷺ said, **"None of you should ever beat his wife as he would whip his slave...."**[317] Related by Al-Bukhârî.

## بَــابُ الْــخُلْــعِ

## *Chapter VII: Khul´a[318] (Divorce at the Wife's instance By giving a payment to the husband)*

١١٠٠ ــ عَنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - : أَنَّ امْرَأَةَ ثَابِتِ بْنِ قَيْسٍ أَتَتِ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَتْ : يَا رَسُولَ اللَّهِ ، ثَابِتُ بْنُ قَيْسٍ مَا أَعِيبُ عَلَيْهِ فِي خُلُقٍ وَلاَ دِينٍ ، وَلَكِنِّي أَكْرَهُ الْكُفْرَ فِي الإِسْلاَمِ ، فَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «أَتَــرُدِّينَ عَلَيْهِ حَدِيقَتَهُ ؟» فَقَالَتْ : نَعَمْ . فَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «اقْبَلِ الْحَدِيقَةَ وَطَلِّقْهَا تَطْلِيقَةً». رَوَاهُ الْبُخَارِيُّ .

وَفِي رِوَايَةٍ لَهُ : «وَأَمَرَهُ بِطَلاَقِهَا».

1100. Ibn ´Abbâs (RAA) narrated, 'The wife of Thâbit bin Qais came to the Prophet ﷺ and said, 'O Messenger of Allâh! I have no complaint against Thâbit in terms of his religion or morals, but what I fear is falling into disbelief after coming to Islâm (what she means is being ungrateful to her husband as she is not satisfied).

317- The rest of the hadîth says, **"and then has sexual intercourse with her at the end of the day."** (such behavior contradicts human nature, as this is an intimate relationship that requires love and affection between the spouses.)

318- Takes place when the woman is unhappy in her marriage, due to the husband's bad appearance or manners etc.., and wishes to be separated from him. So, separation between them takes place in return for remuneration given to the husband. She gives this amount of money upon which they agree (or gives him back his dower, or gives up all her financial rights, etc.. depending on the kind of agreement they make to let him release or divorce her.

The Messenger of Allâh ﷺ said to her, **"Will you give him back his garden?"** She said, 'Yes.' The Messenger of Allâh ﷺ said to him (the husband), **"Take back the garden and make a single pronouncement of divorce** (i.e. divorce her once)." Related by Al-Bukhârî. In another version by Al-Bukhârî, 'and he commanded him to divorce her.'

١١٠١ ــ وَلأَبِــي دَاوُدَ ، وَالتِّرْمِذِيِّ ، وَحَسَّنَهُ : «أَنَّ امْرَأَةَ ثَابِتِ بِنْ قَيْسٍ اخْتَلَعَتْ مِنْهُ ، فَجَعَلَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عِدَّتَهَا حَيْضَةً».

1101. Abû Dawûd and At-Tirmidhî transmitted that the wife of Thâbit bin Qais asked for *Khul'a* from her husband and the Messenger of Allâh ﷺ told her to wait for a single menstruation (as her *'Iddah*).

١١٠٢ ــ وَفِــي رِوَايَةِ عَمْرِو بْنِ شُعَيْبٍ عَنْ أَبِيهِ عَنْ جَدِّهِ ، - رَضِيَ اللَّهُ عَنْهُمَا - عِنْدَ ابْنِ مَاجَهْ : «أَنَّ ثَابِتَ بْنَ قَيْسٍ كَانَ دَمِيمًا ، وَأَنَّ امْرَأَتَهُ قَالَتْ : لَوْلاَ مَخَافَةُ اللَّهِ إِذَا دَخَلَ عَلَيَّ لَبَصَقْتُ فِي وَجْهِهِ».

1102. 'Amro bin Shu'aib narrated on the authority of his father on the authority of his grandfather that Thâbit bin Qais looked very ugly and his wife said, 'If it was not for the fear of Allâh, I would have spat on his face when he entered my place.'[319] Related by Ibn Mâjah.

١١٠٣ ــ وَلأَحْمَــدَ مِــنْ حَدِيــثِ سَهْلِ بْنِ أَبِي حَثْمَةَ : «وَكَانَ ذَلِكَ أَوَّلَ خُلْعٍ فِي الإِسْلاَمِ».

1103. Ahmad transmitted on the authority of Sahl bin Abî Hathmah, 'It was the first *Khul'a* in Islâm.'

319- She said in another narration, that she saw him walking among his companions, and found that he had the darkest skin, he was the shortest and the most ugly, so she feared Allâh in treating him badly or not giving him his rights and that is why she asked for *Khul'a*.

## بَـــابُ الطَّـــلاَقِ

## Chapter VIII: Divorce

١١٠٤ ـــ عَـــنِ ابْـــنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّه صَلَّى اللَّهُ عَلَـــيْهِ وَسَـــلَّمَ : «أَبْغَضُ الْحَلاَلِ إِلَى اللَّه الطَّلاَقُ». رَوَاهُ أَبو دَاوُدَ ، وَابْنُ مَاجَهْ ، وَصَحَّحَهُ الْحَاكِمُ ، وَرَجَّحَ أَبو حَاتِمٍ إِرْسَالَهُ .

1104. Ibn 'Umar (RAA) narrated that the Messenger of Allâh ﷺ said, **"There is no lawful matter which is more detested by Allâh than divorce."** Related by Abû Dawûd and Ibn Mâjah. Al-Hâkim graded it as *Sahîh*.

١١٠٥ ـــ وَعَنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - : أَنَّهُ طَلَّقَ امْرَأَتَهُ وَهِيَ حَائِضٌ فِي عَهدِ رَسُولِ اللَّه صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، فَسَأَلَ عُمَرُ رَسُولَ اللَّه صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَـــنْ ذَلِـــكَ ، فَقَالَ : «مُرْهُ فَلْيُرَاجِعْهَا ، ثُمَّ لِيُمْسِكْهَا حَتَّى تَطْهُرَ ، ثُمَّ تَحِيضَ ، ثُمَّ تَطْهُرَ ، ثُمَّ إِنْ شَاءَ أَمْسَكَ بَعْدُ ، وَإِنْ شَاءَ طَلَّقَ قَبْلَ أَنْ يَمَسَّ ، فَتِلْكَ الْعِدَّةُ الَّتِي أَمَرَ اللَّهُ أَنْ تُطَلَّقَ لَهَا النِّسَاءُ». مُتَّفَقٌ عَلَيْهِ .

1105. Ibn 'Umar narrated that he divorced his wife while she was menstruating during the lifetime of the Prophet ﷺ. 'Umar asked the Prophet ﷺ about that and he said, **"Let your son take her back and keep her in wedlock until her menstrual period ends and then wait until she has the next period and when it (the period) ends, if he wishes to keep her, he can do so and if he wishes to divorce her, he can do so before having sexual intercourse with her. This is the prescribed period that Allâh has fixed for the woman to be divorced."** Agreed upon.

١١٠٦ ـــ وَفِي رِوَايَةٍ لِمُسْلِمٍ : «مُرْهُ فَلْيُرَاجِعْهَا ، ثُمَّ لِيُطَلِّقْهَا طَاهِرًا أَوْ حَامِلاً».

1106. In a narration by Muslim, **"Order him to take her back and then divorce her when she is** (after the time of her period) **either pure from menstruation or pregnant."**

١١٠٧ ـــ وَفِي رِوَايَةٍ أُخْرَى لِلْبُخَارِيِّ : «وَحُسِبَتْ تَطْلِيقَةٌ».

1107. In another version by Al-Bukhârî, 'It was counted as one declaration of divorce (i.e. divorcing her while she is menstrualting).'

١١٠٨ ـــ وَفِي رِوَايَةٍ لِمُسْلِمٍ : قَالَ ابْنُ عُمَرَ : «أَمَّا أَنْتَ طَلَّقْتَهَا وَاحِدَةً أَوِ اثْنَتَيْنِ ، فَـإِنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَمَرَنِي أَنْ أُرَاجِعَهَا ثُمَّ أُمْسِكَهَا حَتَّى تَحِيضَ حَيْضَةً أُخْرَى ، ثُمَّ أُمْهِلَهَا حَتَّى تَطْهُرَ ، ثُمَّ أُطَلِّقَهَا قَبْلَ أَنْ أَمَسَّهَا ، وَأَمَّا أَنْتَ طَلَّقْتَهَا ثَلاثًا ، فَقَدْ عَصَيْتَ رَبَّكَ فِيمَا أَمَرَكَ بِهِ مِنْ طَلَاقِ امْرَأَتِكَ».

1108. In a narration by Muslim, Ibn 'Umar said (when he was asked him about the one who divorced his wife while she was having her menses), 'If you have made one or two declarations of divorce, Allâh's Messenger ﷺ commanded me to take her back and then wait until she has her next menses, and then wait until her period ends, and then divorce her before touching her (having sexual intercourse with her). But if you have pronounced the word of divorce three times (at the same time), then you have disobeyed Allâh and His Messenger ﷺ in His command about divorcing your wife.'

١١٠٩ ـــ وَفِـي رِوَايَـةٍ أُخْرَى : قَالَ عَبْدُاللهِ بْنُ عُمَرَ : «فَرَدَّهَا عَلَيَّ ، وَلَمْ يَرَهَا شَيْئًا ، وَقَالَ : إِذَا طَهُرَتْ فَلْيُطَلِّقْ أَوْ لِيُمْسِكْ».

1109. In another version, ''Abdullâh Ibn 'Umar said, 'So he made her return to me and did not count this divorce (the one pronounced during her menses) and said, **"When she is purified, he may divorce her or keep her."**

١١١٠ ـــ وَعَـنِ ابْنِ عَبَّاسٍ – رَضِيَ اللهُ عَنْهُمَا – قَالَ : «كَانَ الطَّلَاقُ عَلَى عَهْدِ رَسُـولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ وَأَبِي بَكْرٍ وَسَنَتَيْنِ مِنْ خِلَافَةِ عُمَرَ طَلَاقُ الثَّلَاثِ وَاحِـدَةً ، فَقَـالَ عُمَرُ : إِنَّ النَّاسَ قَدِ اسْتَعْجَلُوا فِي أَمْرٍ كَانَتْ لَهُمْ فِيهِ أَنَاةٌ ، فَلَوْ أَمْضَيْنَاهُ عَلَيْهِمْ ؟ فَأَمْضَاهُ عَلَيْهِمْ». رَوَاهُ مُسْلِمٌ .

1110. Ibn 'Abbâs (RAA) narrated, 'Threefold divorce (If one

states three pronouncements of divorce at the same time) was counted as only one divorce during the lifetime of the Prophet ﷺ, Abû Bakr and two years of the Caliphate of 'Umar. Then 'Umar said, 'People have become hasty in a matter in which they used to take their time (i.e. divorce) before deciding on it. So, I wish if we implement it on them (count them as three divorces if they say at one time).' [320] So 'Umar implemented it. Related by Muslim.

١١١١ ــ وَعَنْ مَحْمُودِ بْنِ لَبِيدٍ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : أُخْبِرَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَنْ رَجُلٍ طَلَّقَ امْرَأَتَهُ ثَلَاثَ تَطْلِيقَاتٍ جَمِيعًا ، فَقَامَ غَضْبَانَ ، ثُمَّ قَالَ : «أَيُلْعَبُ بِكِتَابِ اللَّهِ وَأَنَا بَيْنَ أَظْهُرِكُمْ» ، حَتَّى قَامَ رَجُلٌ فَقَالَ : يَا رَسُولَ اللَّهِ ، أَلَا أَقْتُلُهُ ؟ رَوَاهُ النَّسَائِيُّ ، وَرُوَاتُهُ مُوثَقُونَ .

1111. Mahmûd bin Labîd (RAA) narrated, 'The Messenger of Allâh ﷺ was told about a man who divorced his wife by making three pronouncements of divorce at the same time (threefold divorce). The Prophet ﷺ got up very angrily and said, **"Are you playing games with Allâh's Book while I am among you?"** A man got up and said, 'O Messenger of Allâh, shall I kill him?' Narrated by An-Nasâ'î with a sound chain of narrators.

١١١٢ ــ وَعَنِ ابْنِ عَبَّاسٍ – رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا – قَالَ : طَلَّقَ أَبُو رُكَانَةَ أُمَّ رُكَانَةَ ، فَقَالَ لَهُ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «رَاجِعِ امْرَأَتَكَ». فَقَالَ : إِنِّي طَلَّقْتُهَا ثَلَاثًا . قَالَ : «قَدْ عَلِمْتُ ، رَاجِعْهَا». رَوَاهُ أَبُو دَاوُدَ .

1112. Ibn 'Abbâs (RAA) narrated, 'Abû Rukânah divorced his wife (irrevocably). The Messenger of Allâh ﷺ thereupon said to him, **"Take your wife back."** Abû Rukânah then said, 'I have divorced her three times.' The Messenger of Allâh again said to him, **"I know that. Take her back."** Related by Abû Dawûd.

320- He means it as a punishment to let them think it over first, before pronouncing divorce three times at the same time.

١١١٣ ـــ وَفِي لَفْظ لأَحْمَدَ : طَلَّقَ أَبو رُكَانَةَ امْرَأَتَهُ فِي مَجْلِسٍ وَاحِدٍ ثَلاَثًا ، فَحَزِنَ عَلَيْهَا ، فَقَالَ لَهُ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ : «فَإِنَّهَا وَاحِدَةٌ» ، وَفِي سَنَدِهِمَا ابْنُ إِسْحَاقَ ، وَفِيهِ مَقَالٌ .

1113. In a narration by Ahmad, 'Abû Rukânah divorced his wife irrevocably (by making three pronouncements of divorce) in one sitting. He then became very sad. The Messenger of Allâh ﷺ said to him, **"It is considered as one(divorce)."** There is a weak narrator in its chain.

١١١٤ ـــ وَقَدْ رَوَى أَبو دَاوُدَ مِنْ وَجْهٍ آخَرَ أَحْسَنَ مِنْهُ : «أَنَّ رُكَانَةَ طَلَّقَ امْرَأَتَهُ سُهَيْمَةَ أَلْبَتَّةَ ، فَقَالَ : وَاللهِ مَا أَرَدْتُ بِهَا إِلاَّ وَاحِدَةً ، فَرَدَّهَا إِلَيْهِ النَّبِيُّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ ».

1114. Abû Dawûd narrated with a stronger chain of narrators, 'Rukânah divorced his wife Suhaymah irrevocably. (When he went to the Messenger of Allâh ﷺ he said, "By Allâh, I only intended it to be one time (as one divorce)." The Messenger of Allâh ﷺ returned her to him.

١١١٥ ـــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ : «ثَلاَثٌ جَدُّهُنَّ جَدٌّ ، وَهَزْلُهُنَّ جَدٌّ ، النِّكَاحُ وَالطَّلاَقُ وَالرَّجْعَةُ». رَوَاهُ الأَرْبَعَةُ إِلاَّ النَّسَائِيَّ وَصَحَّحَهُ الْحَاكِمُ .

1115. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, "(There are) **three things when they are taken seriously they are considered as serious and when taken in jest, they are still taken seriously. (They are) marriage, divorce and revocation** (of divorce)." Related by the four Imâms except for an-Nasâ'î. Al-Hâkim graded it as *Sahîh*.

١١١٦ ـــ وَفِي رِوَايَةٍ لابْنِ عَدِيٍّ مِنْ وَجْهٍ آخَرَ ضَعِيفٍ : «الطَّلاَقُ وَالْعِتَاقُ وَالنِّكَاحُ».

1116. In a narration by Ibn 'Adî with a weak chain of narrators, **"(They are) divorce, manumitting and marriage."**

١١١٧ ــ وَلِلْحَـــارِثِ بْـــنِ أَبِي أُسَامَةَ مِنْ حَدِيثِ عُبَادَةَ بْنِ الصَّامِتِ - رَضِيَ اللَّهُ عَـــنْهُمْ - رَفْعَـــهُ : «لاَ يَجُوزُ اللَّعِبُ فِي ثَلاَثٍ : الطَّلاَقِ وَالنِّكَاحِ وَالْعِتَاقِ ، فَمَنْ قَالَهُنَّ فَقَدْ وَجَبْنَ» وَسَنَدُهُ ضَعِيفٌ .

1117. Al-Hârith bin Abî Usâmah narrated on the authority of 'Ubâdah bin As-Sâmit (RAA) that the Messenger of Allâh ﷺ said, **'It is not permissible to jest in three things: divorce, marriage and manumitting. Whoever mentioned them, they are binding."** It is related with a weak chain of narrators.

١١١٨ ــ وَعَـــنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - ، عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَـــالَ : «إِنَّ اللَّـــهَ - تَعَالَى - تَجَاوَزَ عَنْ أُمَّتِي مَا حَدَّثَتْ بِهِ أَنْفُسَهَا مَا لَمْ تَعْمَلْ أَوْ تُكَلَّمْ». مُتَّفَقٌ عَلَيْهِ .

1118. Abû Hurairah, narrated that the Messenger of Allâh ﷺ said, **"Allâh, the Almighty has forgiven for my *Ummah* (nation) the thoughts that occur to their minds** (what they speak within themselves)**, as long as they do not put them into action or express them verbally** (utter them).**"** Agreed upon.

١١١٩ ــ وَعَنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا - ، عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ قَالَ : «إِنَّ اللَّهَ - تَعَالَى - وَضَعَ عَنْ أُمَّتِي الْخَطَأَ وَالنِّسْيَانَ ، وَمَا اسْتُكْرِهُوا عَلَيْهِ». رَوَاهُ ابْنُ مَاجَهْ ، وَالْحَاكِمُ ، وَقَالَ أَبُو حَاتِمٍ : لاَ يَثْبُتُ .

1119. Ibn 'Abbâs (RAA) narrated that the Messenger of Allâh ﷺ said, **"Allâh has forgiven my *Ummah* their** (wrong actions), **which are due to error or oblivion, and for what they do under coercion."** Related by Ibn Mâjah and al-Hâkim.

١١٢٠ ــ وَعَـــنِ ابْـــنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : «إِذَا حَرَّمَ امْرَأَتَهُ لَيْسَ بِشَيْءٍ ، وَقَالَ : {لَقَدْ كَانَ لَكُمْ فِي رَسُولِ اللَّهِ أُسْوَةٌ حَسَنَةٌ}». رَوَاهُ الْبُخَارِيُّ .

1120. Ibn 'Abbâs (RAA) narrated, 'If a man takes an oath that

his wife is prohibited(unlawful) to him,[321] it is not to be considered as anything (i.e. not considered as a divorce). Verily you have a good example in the Messenger of Allâh ﷺ.' Related by Al-Bukhârî.

١١٢١ ــ وَلِمُسْلِمٍ عَنِ ابْنِ عَبَّاسٍ : «إِذَا حَرَّمَ الرَّجُلُ امْرَأَتَهُ ، فَهُوَ يَمِينٌ يُكَفِّرُهَا».

1121. Ibn 'Abbâs (RAA) narrated, 'If a man takes an oath that his wife is prohibited (unlawful) to him, he should offer an expiation for his oath.' Related by Muslim.

١١٢٢ ــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - : أَنَّ ابْنَةَ الْجَوْنِ لَمَّا أُدْخِلَتْ عَلَى رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، وَدَنَا مِنْهَا قَالَتْ : أَعُوذُ بِاللَّهِ مِنْكَ . فَقَالَ : «لَقَدْ عُذْتِ بِعَظِيمٍ ، الْحَقِي بِأَهْلِكِ». رَوَاهُ الْبُخَارِيُّ .

1122. 'Â'ishah (RAA) narrated, 'When the daughter of Al-Jawn entered the presence of the Messenger of Allâh ﷺ, and he went near her, she said, 'I seek refuge in Allâh from you.' He replied, **'You have sought refuge in the One Who is Great. Rejoin your kin.**[322] Related by Al-Bukhârî.

١١٢٣ ــ وَعَنْ جَابِرٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ طَلاَقَ إِلاَّ بَعْدَ نِكَاحٍ ، وَلاَ عِتْقَ إِلاَّ بَعْدَ مِلْكٍ». رَوَاهُ أَبُو يَعْلَى ، وَصَحَّحَهُ الْحَاكِمُ ، وَهُوَ مَعْلُولٌ .

1123. Jâbir (RAA) narrated that the Messenger of Allâh ﷺ said, **"No divorce is to be considered except after marriage** (has taken place),[323] **and no emancipation is considered exce-**

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321- Meaning he would not touch her or have any sexual relationship with her.

322- She was divorced in this case, as the Messenger of Allâh ﷺ meant to divorce her.

323- Such as a man saying that any woman I marry from that family or tribe will be divorced, even before he marries any of them. This is not considered as a divorce as marriage has not yet taken place.

**pt after the actual owning**(of the slave)." Related by Abû Ya'lâ, and al-Hâkim graded it as *Sahîh*, but the *Hadîth* is defective.

١١٢٤ ــ وَأَخْــرَجَ ابْنُ مَاجَهْ عَنِ الْمِسْوَرِ بْنِ مَخْرَمَةَ مِثْلَهُ ، وَإِسْنَادُهُ حَسَنٌ ، لَكِنَّهُ مَعْلُولٌ أَيْضًا .

1124. Ibn Mâjah related the same narration on the authority of Al-Miswar bin Makhramah, with a reasonable chain of narrators, but it is also defective.

١١٢٥ ــ وَعَــنْ عَمْرِو بْنِ شُعَيْبٍ عَنْ أَبِيهِ عَنْ جَدِّهِ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ نَذْرَ لابْنِ آدَمَ فِيمَا لاَ يَمْلِكُ ، وَلاَ عِتْقَ لَهُ فِــيمَا لاَ يَمْلِــكُ ، وَلاَ طَــلاَقَ لَهُ فِيمَا لاَ يَمْلِكُ». أَخْرَجَهُ أَبُو دَاوُدَ ، وَالتِّرْمِذِيُّ وَصَحَّحَهُ ، وَنُقِلَ عَنِ الْبُخَارِيِّ أَنَّهُ أَصَحُّ مَا وَرَدَ فِيهِ .

1125. 'Amro bin Shu'aib narrated on the authority of his father on the authority of his grandfather that the Messenger of Allâh ﷺ said, **"No human being may make a vow about something which he does not possess, or emancipate someone who he does not possess, or divorce someone who is not his** (wife)." Related by Abû Dawûd and At-Tirmidhî who graded it as *Sahîh*. al-Bukhârî commented that it is the most sound *Hadîth* on this subject.

١١٢٦ ــ وَعَــنْ عَائِشَــةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهَا - : عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ قَالَ : «رُفِعَ الْقَلَمُ عَنْ ثَلاَثَةٍ : عَنِ النَّائِمِ حَتَّى يَسْتَيْقِظَ ، وَعَنِ الصَّغِيرِ حَتَّى يَكْــبُرَ ، وَعَنِ الْمَجْنُونِ حَتَّى يَعْقِلَ أَوْ يُفِيقَ». رَوَاهُ أَحْمَدُ ، وَالأَرْبَعَةُ إِلاَّ التِّرْمِذِيَّ ، وَصَحَّحَهُ الْحَاكِمُ ، وَأَخْرَجَهُ ابْنُ حِبَّانَ .

1126. 'Â'ishah (RAA) narrated that 'Allâh's Messenger ﷺ said, **"There are three** (people) **who are not blamed for their actions: the sleeping person until he wakes up, the child until he becomes mature, and the insane person until he comes back to sanity or becomes conscious."** Related by Ahmad and the four Imâms except for At-Tirmidhî. Al-Hâkim graded it as *Sahîh*.

# بَـــابُ الــرَّجْعَـــة

## *Chapter IX: Raj´ah (Taking Back A Divorced Wife)*

١١٢٧ ـــ عَـــنْ عِمْـــرَانَ بْنِ حُصَيْنٍ - رَضِيَ اللَّهُ عَنْهُ - أَنَّهُ سُئِلَ عَنِ الرَّجُلِ يُطَلِّقُ امْـــرَأَتَهُ ، ثُـــمَّ يُـــرَاجِعُ وَلاَ يَشْهِدُ ، فَقَالَ : «أَشْهِدْ عَلَى طَلاَقِهَا وَ عَلَى رَجْعَتِهَا». رَوَاهُ أَبُو دَاوُدَ هٰكَذَا مَوْقُوفًا ، وَسَنَدُهُ صَحِيحٌ .

1127. ´Imrân bin Husain (RAA) narrated that he was asked about the ruling of a man who divorces his wife and then takes her back without the attestation of witnesses. He said, 'Get witnessses for both her divorce and her *raj´ah*.' Related by Abû Dawûd with a sound chain of narrators.

١١٢٨ ـــ وَأَخْرَجَهُ الْبَيْهَقِيُّ بِلَفْظ : «أَنَّ عِمْرَانَ بْنَ حُصَيْنٍ - رَضِيَ اللَّهُ عَنْهُ - سُئِلَ عَمَّنْ رَاجَعَ امْرَأَتَهُ ، وَلَمْ يُشْهِدْ فَقَالَ : فِي غَيْرِ سُنَّة ؟ فَلْيُشْهِد الآنَ». وَزَادَ الطَّبَرَانِيُّ فِي رِوَايَة : «وَيَسْتَغْفِرِ اللَّهَ».

1128. It was also related by Al-Baihaqî with the wording, '´Imrân bin Husain (RAA) was asked about a man who took back his divorced wife without the attestation of witnesses. He replied, 'He did that without following the *Sunnah* (of the Prophet ﷺ), let him get the witnesses now.' Imâm At-Tabarânî had the addition, 'And ask for the forgiveness of Allâh.'

١١٢٩ ـــ وَعَـــنِ ابْـــنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - أَنَّهُ لَمَّا طَلَّقَ امْرَأَتَهُ ، قَالَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لِعُمَرَ : «مُرْهُ فَلْيُرَاجِعْهَا». مُتَّفَقٌ عَلَيْهِ .

1129. Ibn ´Umar (RAA) narrated that when he divorced his wife, the Messenger of Allâh ﷺ said to ´Umar (RAA), **"Command him to take her back."** Agreed upon.

بَابُ الإِيلاَءِ وَالظِّهَارِ وَالْكَفَّارَةِ

## Chapter X: *Ilâ'*[324], *Dhihâr*[325] *and Kaffârah (Expiation)*

١١٣٠ ـ عَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ: «آلَى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ مِنْ نِسَائِهِ وَحَرَّمَ، فَجَعَلَ الْحَرَامَ حَلاَلاً، وَجَعَلَ لِلْيَمِينِ كَفَّارَةً». رَوَاهُ التِّرْمِذِيُّ، وَرُوَاتُهُ ثِقَاتٌ.

1130. 'Â'ishah (RAA) narrated, 'Allâh's Messenger ﷺ took an oath not to approach his wives (made *Ilâ'*) and prohibited (something which is not unlawful in itself).Then he went back and made this thing lawful (as it was originally) and offered an expiation for his oath.' Related by At-Tirmidhî, with a trustworthy chain of narrators.

١١٣١ ـ وَعَنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ: «إِذَا مَضَتْ أَرْبَعَةُ أَشْهُرٍ وَقَفَ الْمُولِي حَتَّى يُطَلِّقَ، وَلاَ يَقَعُ عَلَيْهِ الطَّلاَقُ حَتَّى يُطَلِّقَ». أَخْرَجَهُ الْبُخَارِيُّ.

1131. Ibn 'Umar (RAA) narrated, 'When the period of four months has expired (as stated in the Qur'ân), the husband either returns to his wife (has a normal relationship with her) or divorces her. And the divorce is not valid until the husband declares it himself.' Related by Al-Bukhârî.

١١٣٢ ـ وَعَنْ سُلَيْمَانَ بْنِ يَسَارٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ: «أَدْرَكْتُ بِضْعَةَ عَشَرَ رَجُلاً مِنْ أَصْحَابِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كُلُّهُمْ يَقِفُونَ الْمُولِي». رَوَاهُ الشَّافِعِيُّ.

1132. Sulaimân bin Yasâr (RAA) narrated, 'I met over ten

324- This is where the husband takes an oath that he will not approach his wife, i.e. not to have sexual intercourse with her, as a kind of discipline. The maximum period for the *Ilâ'* as set by the Qur'ân is four months (Sûrah *al-Baqarah*, 2:226).

325- A practice that goes back to pre-Islâmic times. It is when the husband makes a statement to his wife like, '*You are to me like the back of my mother,*' meaning never to approach her. For the Muslims Allâh prescribed an expiation to be offered by anyone who says such a thing, and it is not regarded as divorce.

Companions of the Prophet ﷺ who gave the husband a maximum of four months for the *Ilâ'* (after which he should either divorce her or resume his relationship with her)'. Related by Ash-Shâfi'î.

١١٣٣ ــ وَعَنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : «كَانَ إِيلاَءُ الْجَاهِلِيَّةِ السَّنَةَ وَالسَّنَتَيْنِ ، فَوَقَّتَ اللَّهُ أَرْبَعَةَ أَشْهُرٍ ، فَإِنْ كَانَ أَقَلَّ مِنْ أَرْبَعَةِ أَشْهُرٍ فَلَيْسَ بِإِيلاَءٍ». أَخْرَجَهُ الْبَيْهَقِيُّ .

1133. Ibn 'Abbâs (RAA) narrated, '*Ilâ'* at the time of *Jâhiliyah* (pre-Islâmic period), used to continue for one or two years. Allâh revealed that it is not to exceed four months. If it continues for less than four months, then it is not considered *Ilâ'*.' Related by Al-Baihaqî.

١١٣٤ ــ وَعَنْهُ - رَضِيَ اللَّهُ عَنْهُ - : أَنَّ رَجُلاً ظَاهَرَ مِنِ امْرَأَتِهِ ، ثُمَّ وَقَعَ عَلَيْهَا ، فَأَتَى النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ : إِنِّي وَقَعْتُ عَلَيْهَا قَبْلَ أَنْ أُكَفِّرَ ، قَالَ : «فَلاَ تَقْرَبْهَا حَتَّى تَفْعَلَ مَا أَمَرَكَ اللَّهُ بِهِ». رَوَاهُ الأَرْبَعَةُ ، وَصَحَّحَهُ التِّرْمِذِيُّ ، وَرَجَّحَ النَّسَائِيُّ إِرْسَالَهُ ، وَرَوَاهُ الْبَزَّارُ مِنْ وَجْهٍ آخَرَ عَنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا - وَزَادَ فِيهِ : «كَفِّرْ وَلاَ تَعُدْ».

1134. Ibn 'Abbâs (RAA) narrated, 'A man practiced *Dhihâr* with his wife and then he had intercourse with her. He went to the Prophet ﷺ and said, 'I had intercourse with her before making the prescribed expiation.' The Messenger of Allâh ﷺ said to him, **"Do not approach her until you do what Allâh ordered you to do."** Related by the four Imâms and rendered as Sahîh by At-Tirmidhî. The narration of Al-Bazzâr is as follows, **"Offer the prescribed expiation and do not do it again."**

١١٣٥ ــ وَعَنْ سَلَمَةَ بْنِ صَخْرٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : دَخَلَ رَمَضَانُ ، فَخِفْتُ أَنْ أُصِيبَ امْرَأَتِي ، فَظَاهَرْتُ مِنْهَا ، فَانْكَشَفَ لِي شَيْءٌ مِنْهَا لَيْلَةً ، فَوَقَعْتُ عَلَيْهَا ، فَقَالَ لِي رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «حَرِّرْ رَقَبَةً» . فَقُلْتُ : مَا أَمْلِكُ إِلاَّ رَقَبَتِي ، قَالَ : «فَصُمْ شَهْرَيْنِ مُتَتَابِعَيْنِ» . قُلْتُ : وَهَلْ أَصَبْتُ الَّذِي أَصَبْتُ إِلاَّ مِنَ

الصِّيَامِ . قَالَ : «أَطْعِمْ فَرَقًا مِنْ تَمْرٍ سِتِّينَ مِسْكِينًا». أَخْرَجَهُ أَحْمَدُ ، وَالأَرْبَعَةُ إِلاَّ النَّسَائِيَّ ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ ، وَابْنُ الْجَارُودِ .

1135. Salamah Ibn Sakhr (RAA) narrated, 'When the month of *Ramadân* came, I feared lest I should have intercourse with my wife (while fasting), so I made *Dhihâr* with her and told her that she is like the back of my mother. One night (in *Ramadân*) I saw something of her (body) so I had intercourse with her. The Messenger of Allâh ﷺ said to me, **"Free a slave."** I said, 'I do not posses any but myself.' He again said, **'Then fast for two consecutive months.'** I said, 'Whatever I suffered was due to my fasting.' He said, **"Feed sixty poor people one Faraq** (a measure that equals 15 *Sâ'*) **of dates."** Related by Ahmad and the four Imâms except for An-Nasâ'i. Ibn Khuzaimah and Ibn al-Gârûd graded it as *Sahîh*.

## بَابُ اللِّعَانِ

## *Chapter XI: Li'ân*[326]

١١٣٦ ــ عَنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : «سَأَلَ فُلاَنٌ فَقَالَ : يَا رَسُولَ اللَّهِ ، أَرَأَيْتَ أَنْ لَوْ وَجَدَ أَحَدُنَا امْرَأَتَهُ عَلَى فَاحِشَةٍ كَيْفَ يَصْنَعُ ؟ إِنْ تَكَلَّمَ تَكَلَّمَ بِأَمْرٍ عَظِيمٍ ، وَإِنْ سَكَتَ سَكَتَ عَلَى مِثْلِ ذَلِكَ . فَلَمْ يُجِبْهُ ، فَلَمَّا كَانَ بَعْدَ ذَلِكَ

326- The word is derived from the Arabic word *La'n* which means cursing. This takes place when a man accuses his wife of committing adultery without having four witnesses to support his claim. If he speaks publicly about it he will be considered as an accuser and will be given eighty lashes, which is the punishment for accusation of adultery. When this incident took place during the lifetime of the Prophet ﷺ the verse of *Li'ân* was revealed (24: 6-9), which states that a husband should swear four times (in front of the magistrate and in the presence of his wife) that he is telling the truth and the fifth time he says that may the curse of Allâh be upon him if he is lying. And then she swears four times that he is lying about what he has charged her with and the fifth time she says that may the wrath of Allâh be upon her if he is telling the truth. In this way he is no longer liable to be punished for false accusation and she is no longer liable to be punishment for adultery. By this, she is eternally prohibited for him and the child she is expecting (if any) is not his.

أَتَاهُ فَقَالَ : إِنَّ الَّذِي سَأَلْتُكَ عَنْهُ قَدِ ابْتُلِيتُ بِهِ . فَأَنْزَلَ اللَّهُ الآيَاتِ فِي سُورَةِ النُّورِ ، فَتَلاَهُنَّ عَلَيْهِ ، وَوَعَظَهُ ، وَذَكَّرَهُ ، وَأَخْبَرَهُ أَنَّ عَذَابَ الدُّنْيَا أَهْوَنُ مِنْ عَذَابِ الآخِرَةِ ، قَالَ : لاَ ، وَالَّذِي بَعَثَكَ بِالْحَقِّ مَا كَذَبْتُ عَلَيْهَا ، ثُمَّ دَعَاهَا فَوَعَظَهَا كَذَلِكَ ، قَالَتْ : لاَ ، وَالَّذِي بَعَثَكَ بِالْحَقِّ إِنَّهُ لَكَاذِبٌ ، فَبَدَأَ بِالرَّجُلِ ، فَشَهِدَ أَرْبَعَ شَهَادَاتٍ بِاللَّهِ ، ثُمَّ ثَنَّى بِالْمَرْأَةِ ، ثُمَّ فَرَّقَ بَيْنَهُمَا». رَوَاهُ مُسْلِمٌ .

1136. Ibn 'Umar (RAA) narrated, 'A man asked, 'O Messenger of Allâh! What do you see if someone from amongst us happened to find his wife committing adultery. What should he do? If he talks, he is talking of a grievous matter, and if remains silent, he is also keeping silent over a grievous matter. The Messenger of Allâh ﷺ did not answer him. Afterwards the man came again and said to Allâh's Messenger ﷺ, 'What I have asked you about is now my affliction (i.e. it actually happened to me; that he saw his wife committing adultery). Then Allâh, the Almighty revealed the verses of *Sûrah an-Nûr*, and the Messenger of Allâh ﷺ recited them for him, exhorted him and reminded him of Allâh, and told him that the torture of this present life is much less than the torture of the Hereafter. He (the man) said, 'No, by Him Who sent you with the truth! I did not tell a lie about her.' Then the Prophet ﷺ called her (the wife of that man) and exhorted her as well. She said, 'No, by Him Who sent you with the truth! He is a liar.' The Prophet ﷺ began with the man who made four testimonies by Allâh, and then the woman did the same, and then he separated them both (forever).' Related by Muslim.

١١٣٧ ـــ وَعَنْهُ - رَضِيَ اللَّهُ عَنْهُ - : أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ لِلْمُتَلاَعِنَيْنِ : «حِسَابُكُمَا عَلَى اللَّهِ ، أَحَدُكُمَا كَاذِبٌ ، لاَ سَبِيلَ لَكَ عَلَيْهَا قَالَ : يَا رَسُولَ اللَّهِ ، مَالِي ؟ فَقَالَ : «إِنْ كُنْتَ صَدَقْتَ عَلَيْهَا فَهُوَ بِمَا اسْتَحْلَلْتَ مِنْ فَرْجِهَا ، وَإِنْ كُنْتَ كَذَبْتَ عَلَيْهَا ، فَذَاكَ أَبْعَدُ لَكَ مِنْهَا». مُتَّفَقٌ عَلَيْهِ .

1137. Ibn 'Umar (RAA) narrated that the Messenger of Allâh ﷺ said to the couple involved in the case of *Li'ân*, **"Your accounts will be with Allâh. One of you two is a liar. You have no**

**authority over her."** The man said, 'O Messenger of Allâh! My property!' The Messenger of Allâh ﷺ replied,**"If you were telling the truth concerning her, that would be in return for what you have enjoyed of her, and if you were lying, that would be more remote to you than her returning to you** (i.e. if he was lying about her, how would he take what he had given to her)." Agreed upon.

١١٣٨ ـــ وَعَـــنْ أَنَسٍ – رَضِيَ اللَّهُ عَنْهُ – : أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «أَبْصِرُوهَا ، فَإِنْ جَاءَتْ بِهِ أَبْيَضَ سَبْطًا فَهُوَ لِزَوْجِهَا ، وَإِنْ جَاءَتْ بِهِ أَكْحَلَ جَعْدًا ، فَهُوَ لِلَّذِي رَمَاهَا بِهِ». مُتَّفَقٌ عَلَيْهِ .

1138. Anas (RAA) narrated that the Messenger of Allâh ﷺ said, **"Watch**(for the baby that she will give birth to), **if she gives birth to a child which is white with lank hair, then it is her husband's child, but if she gives birth to a child which is brown with curly hair then it is the child of the man her husband accused her of committing adultery with."** Agreed upon.

١١٣٩ ـــ وَعَـــنِ ابْنِ عَبَّاسٍ – رَضِيَ اللَّهُ عَنْهُمَا – : أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ أَمَـــرَ رَجُلاً أَنْ يَضَعَ يَدَهُ عِنْدَ الْخَامِسَةِ عَلَى فِيهِ ، وَقَالَ : «إِنَّهَا مُوجِبَةٌ». رَوَاهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ ، وَرِجَالُهُ ثِقَاتٌ .

1139. Ibn 'Abbâs (RAA) narrated, 'The Messenger of Allâh ﷺ ordered a man to put his hand on his hand on the fifth testimony and said to him, **"It would be the decisive one** (which will bring Allâh's punishment and curse, and will separate them for ever)." Related by Abû Dawûd and An-Nasâ'î with a trustworthy chain of narrators.

١١٤٠ ـــ وَعَـــنْ سَهْلِ بْنِ سَعْدٍ – رَضِيَ اللَّهُ عَنْهُ – فِي قِصَّةِ الْمُتَلاَعِنَيْنِ ـــ قَالَ : «فَلَمَّا فَرَغَا مِنْ تَلاَعُنِهِمَا قَالَ : كَذَبْتُ عَلَيْهَا يَا رَسُولَ اللَّهِ ، إِنْ أَمْسَكْتُهَا ، فَطَلَّقَهَا ثَلاَثًا ، قَبْلَ أَنْ يَأْمُرَهُ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ». مُتَّفَقٌ عَلَيْهِ .

1140. Sahl bin Sa'd (RAA) narrated concerning the case of the

couple involved in the *Li'ân*,'When they had finished making their testimony, the man said. 'O Messenger of Allâh! If I keep her now as a wife with me, then I have told a lie about her.' The man then divorced thrice before Allâh's Messenger ﷺ ordered him to do so.'[327] Agreed upon.

١١٤١ ـــ وَعَـــنِ ابْنِ عَبَّاسٍ – رَضِيَ اللَّهُ عَنْهُمَا – : أَنَّ رَجُلاً جَاءَ إِلَى النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ : إِنَّ امْرَأَتِي لاَ تَرُدُّ يَدَ لاَمِسٍ ، قَالَ : «غَرِّبْهَا» ، قَالَ : أَخَافُ أَنْ تَتْــبَعَهَا نَفْسِي . قَالَ : «فَاسْتَمْتِعْ بِهَا» . رَوَاهُ أَبُو دَاوُدَ ، وَالتِّرْمِذِيُّ ، وَالْبَزَّارُ ، وَرِجَالُهُ ثِقَاتٌ .

وَأَخْـــرَجَهُ النَّسَائِيُّ مِنْ وَجْهٍ آخَرَ عَنِ ابْنِ عَبَّاسٍ – رَضِيَ اللَّهُ عَنْهُمَا – بِلَفْظِ قَالَ : «طَلِّقْهَا» ، قَالَ : لاَ أَصْبِرُ عَنْهَا . قَالَ : «فَأَمْسِكْهَا».

1141. Ibn 'Abbâs (RAA) narrated, 'A man came to the Prophet ﷺ and said, 'I have a wife who does not keep the hand of the toucher (anyone who touches her) from her. The Prophet ﷺ said to him, **"Divorce her."** The man replied, 'But I am afraid, I won't be able to keep away from her.' The Messenger of Allâh ﷺ then said to him, **"Then enjoy her** (with that deficiency)." Related by Abû Dawûd, At-Tirmidhî and Al-Bazzâr with a trustworthy chain of narrators.

An-Nasâ'î related on the authority of Ibn 'Abbâs with a different chain of narrators, 'The Messenger of Allâh ﷺ said to him, **"Divorce her."** He replied, 'I can not endure my desire for her.' The Messenger of Allâh ﷺ then sad, **"Then keep her."**

١١٤٢ ـــ وَعَـــنْ أَبِي هُرَيْرَةَ – رَضِيَ اللَّهُ عَنْهُ – : أَنَّهُ سَمِعَ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَـــيْهِ وَسَلَّمَ يَقُولُ – حِينَ نَزَلَتْ آيَةُ الْمُتَلاَعِنَيْنِ – : «أَيُّمَا امْرَأَةٍ أَدْخَلَتْ عَلَى قَوْمٍ

327- The majority of scholars are of the opinion that separation takes place anyway by the end of the process of *Li'ân*. As for what this man did, he was not ordered by the Prophet ﷺ to do so. His divorce only assured him of what had already taken place, which is their separation for ever.

مَــنْ لَــيْسَ مِنْهُمْ ، فَلَيْسَتْ مِنَ اللّهِ فِي شَيْءٍ ، وَلَمْ يُدْخِلْهَا اللّهُ جَنَّتَهُ ، وَأَيُّمَا رَجُلٍ جَحَــدَ وَلَــدَهُ - وَهُوَ يَنْظُرُ إِلَيْهِ - احْتَجَبَ اللّهُ عَنْهُ ، وَفَضَحَهُ عَلَى رُءُوسِ الأَوَّلِينَ وَالآخِرِينَ». أَخْرَجَهُ أَبُو دَاوُدَ ، وَالنَّسَائِيُّ ، وَابْنُ مَاجَهْ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

1142. Abû Hurairah (RAA) narrated that he heard the Messenger of Allâh ﷺ say when the verse of *Li'ân* was revealed,**"Anyone who falsely claims a child to her family, while he does not belong to them, Allâh will have nothing to do with her** (not to expect His Mercy) **and will not let her enter His Paradise. And any man who denies paternity of his own child – while looking at him**(i.e. he is certain that he is his child) **Allâh will not let him look at Him (at Allâh) and shall disgrace him in the presence of all creation the first and the last (on the Day of Resurrection)."** Related by Abû Dawûd and An-Nasâ'î and Ibn Mâjah. Ibn Hibbân graded it as *Sahîh*.

١١٤٣ ـــ وَعَنْ عُمَرَ - رَضِيَ اللّهُ عَنْهُ - قَالَ : «مَنْ أَقَرَّ بِوَلَدِهِ طَرْفَةَ عَيْنٍ ، فَلَيْسَ لَهُ أَنْ يَنْفِيَهُ». أَخْرَجَهُ الْبَيْهَقِيُّ ، وَهُوَ حَسَنٌ مَوْقُوفٌ .

1143. 'Umar (RAA) narrated,'Whoever acknowledges his paternity to his child, even for a second, he is not to deny him.' Related by Al-Baihaqî.

١١٤٤ ـــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللّهُ عَنْهُ - : أَنَّ رَجُلاً قَالَ : يَا رَسُولَ اللّهِ ، إِنَّ امْــرَأَتِي وَلَدَتْ غُلاَمًا أَسْوَدَ ، قَالَ : «هَلْ لَكَ مِنْ إِبِلٍ ؟» قَالَ : نَعَمْ . قَالَ : «فَمَا أَلْوَانُهَا ؟» قَالَ : حُمْرٌ . قَالَ لَهُ : «هَلْ فِيهَا مِنْ أَوْرَقَ ؟» قَالَ : نَعَمْ . قَالَ : «فَأَنَّى ذَلِكَ ؟» قَالَ : لَعَلَّهُ نَزَعَهُ عِرْقٌ . قَالَ : «فَلَعَلَّ ابْنَكَ هَذَا نَزَعَهُ عِرْقٌ». مُتَّفَقٌ عَلَيْهِ . وَفِي رِوَايَةٍ لِمُسْلِمٍ : «وَهُوَ يُعَرِّضُ بِأَنْ يَنْفِيَهُ»، وَقَالَ فِي آخِرِهِ : «وَلَمْ يُرَخِّصْ لَهُ فِي الإِنْتِفَاءِ مِنْهُ».

1144. Abû Hurairah (RAA) narrated, 'A man came to the Prophet ﷺ and said,'My wife gave birth to a black child.' The Prophet ﷺ asked him, **"Do you have camels?"** The man replied, 'Yes.'

The Messenger of Allâh ﷺ asked him, **"What color are they?"** The man replied, 'Red.' The Messenger of Allâh ﷺ asked him again, **"Is there a gray one among them?"** The man answered, 'Yes.' The Messenger of Allâh ﷺ then asked him. **"Where has that (gray) one come from?"** The man said, 'Maybe it is due to heredity.' The Prophet ﷺ said, **"Maybe your latest son has this (black) color due to heredity."**

In a version by Muslim,'The man was intending to deny him.' And said at the end of the narration, 'Allâh's Messenger ﷺ did not allow him to deny him.'

## بَابُ الْعِدَّةِ، وَالإِحْدَادِ، وَالإِسْتِبْرَاءِ، وَغَيْرُ ذَلِكَ

## *Chapter XII: ´Iddah and Ihdâd*[328]

١١٤٥ ــ عَنِ الْمِسْوَرِ بْنِ مَخْرَمَةَ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ سُبَيْعَةَ الأَسْلَمِيَّةَ - رَضِيَ اللَّهُ عَنْهَا - نُفِسَتْ بَعْدَ وَفَاةِ زَوْجِهَا بِلَيَالٍ ، فَجَاءَتِ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَاسْتَأْذَنَتْهُ أَنْ تَنْكِحَ ، فَأَذِنَ لَهَا ، فَنَكَحَتْ». رَوَاهُ الْبُخَارِيُّ ، وَأَصْلُهُ فِي الصَّحِيحَيْنِ .

وَفِي لَفْظٍ : «أَنَّهَا وَضَعَتْ بَعْدَ وَفَاةِ زَوْجِهَا بِأَرْبَعِينَ لَيْلَةً».

وَفِي لَفْظٍ لِمُسْلِمٍ : قَالَ الزُّهْرِيُّ : «وَلاَ أَرَى بَأْسًا أَنْ تَزَوَّجَ وَهِيَ فِي دَمِهَا ، غَيْرَ أَنَّهُ لاَ يَقْرَبُهَا زَوْجُهَا حَتَّى تَطْهُرَ».

1145. Al-Miswar bin Makhramah narrated that Subai´ah al-Aslamiyah(RAA) gave birth(to a child) a few nights after the death of her husband. She went to the Prophet ﷺ and asked his permission to get married, so he permitted her to do so and she did.'[329] Related by Al-Bukhârî.

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328- The woman whose husband has died refrains from adornments, perfumes, going out (except for a necessity) etc.. for a period of four months and ten days after the death of her husband which is her *´Iddah*.

329- The *´Iddah* of the pregnant woman ends when she gives birth whether divorced or a widow.

In another narration, 'She gave birth forty nights after the death of her husband.'

In Muslim's version, Az-Zuharî said, 'I see nothing wrong with her getting married while she is still in her post birth bleeding but on condition that her husband does not touch her till she becomes pure.'

١١٤٦ ــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «أُمِرَتْ بَرِيرَةُ أَنْ تَعْتَدَّ بِثَلاَثِ حِيَضٍ». رَوَاهُ ابْنُ مَاجَهْ ، وَرُوَاتُهُ ثِقَاتٌ ، وَلَكِنَّهُ مَعْلُولٌ .

1146. 'Â'ishah (RAA) narrated, 'I commanded Barîrah to observe her *'Iddah* for three menstrual periods.' Related by Ibn Mâjah.

١١٤٧ ــ وَعَنِ الشَّعْبِيِّ ، عَنْ فَاطِمَةَ بِنْتِ قَيْسٍ - رَضِيَ اللَّهُ عَنْهَا - ، عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فِي الْمُطَلَّقَةِ ثَلاَثًا - : «لَيْسَ لَهَا سُكْنَى وَلاَ نَفَقَةٌ». رَوَاهُ مُسْلِمٌ .

1147. Ash-Shi'bî narrated on the authority of Fâtimah bint Qais (RAA) that the Messenger of Allâh ﷺ said regarding a woman who is divorced three times (irrevocable divorce), **"She has no right for maintenance or housing."** Related by Muslim.

١١٤٨ ــ وَعَنْ أُمِّ عَطِيَّةَ - رَضِيَ اللَّهُ عَنْهَا - : أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لاَ تُحِدُّ امْرَأَةٌ عَلَى مَيِّتٍ فَوْقَ ثَلاَثٍ ، إِلاَّ عَلَى زَوْجٍ أَرْبَعَةَ أَشْهُرٍ وَعَشْرًا ، وَلاَ تَلْبَسْ ثَوْبًا مَصْبُوغًا ، إِلاَّ ثَوْبَ عَصْبٍ ، وَلاَ تَكْتَحِلْ ، وَلاَ تَمَسَّ طِيبًا ، إِلاَّ إِذَا طَهُرَتْ نُبْذَةً مِنْ قُسْطٍ أَوْ أَظْفَارٍ». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِمُسْلِمٍ . وَلأَبِي دَاوُدَ وَالنَّسَائِيِّ مِنَ الزِّيَادَةِ : «وَلاَ تَخْتَضِبْ». وَلِلنَّسَائِيِّ : «وَلاَ تَمْتَشِطْ».

1148. Umm 'Atiyah (RAA) narrated that the Messenger of Allâh ﷺ said, **"It is not lawful for a woman who believes in Allâh and the Hereafter to mourn for a dead person for more than three days, except for her husband (she is to mourn) for four months and ten days. She is not to wear a dyed garment, except for a garment of *'Asb*** (special clothes made in Yemen). **She must not apply *Kuhl* nor perfume. But**

what is permissible is that when she is purified from her menses, she may use a small amount of ***Kust*** (type of incense, to get rid of the smell of the blood)." Agreed upon and the wording is from Muslim.

Abû Dawûd and an-Nasâ'î added the following, **'She must not apply Henna.'** an-Nasâ'î added, **"or comb her hair."**

١١٤٩ ــ وَعَنْ أُمِّ سَلَمَةَ – رَضِيَ اللَّهُ عَنْهَا – قَالَتْ : جَعَلْتُ عَلَى عَيْنِي صَبِرًا بَعْدَ أَنْ تُوُفِّيَ أَبُو سَلَمَةَ ، فَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِنَّهُ يَشِبُّ الْوَجْهَ ، فَلاَ تَجْعَلِيهِ إِلاَّ بِاللَّيْلِ ، وَانْزَعِيهِ بِالنَّهَارِ ، وَلاَ تَمْتَشِطِي بِالطِّيبِ ، وَلاَ بِالْحِنَّاءِ فَإِنَّهُ خِضَابٌ». قُلْتُ : بِأَيِّ شَيْءٍ أَمْتَشِطُ ؟ قَالَ : «بِالسِّدْرِ». رَوَاهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ ، وَإِسْنَادُهُ جَيِّدٌ .

1149. Umm Salamah (RAA) narrated, 'I applied aloe juice to my eyes after the death of Abû Salamah.' The Messenger of Allâh ﷺ said, **"It gives the face a nice glow (makes it look fresh), so use it only at night and remove it in the daytime, and do not comb your hair with scent or henna as it is a type of dye."** I then asked him, 'What should I use when I comb my hair?' He said, **"Use lote-tree leaves (*Sidr*)."** Related by An-Nasâ'î and Abû Dawûd with a good chain of narrators.

١١٥٠ ــ وَعَنْهَا – رَضِيَ اللَّهُ عَنْهَا – : أَنَّ امْرَأَةً قَالَتْ : يَا رَسُولَ اللَّهِ ، إِنَّ ابْنَتِي مَاتَ عَنْهَا زَوْجُهَا ، وَقَدِ اشْتَكَتْ عَيْنَهَا ، أَفَنَكْحُلُهَا ؟ قَالَ : «لاَ». مُتَّفَقٌ عَلَيْهِ .

1150. Umm Salamah narrated, 'A woman came to the Messenger of Allâh ﷺ and said, 'O Messenger of Allâh! My daughter's husband died, and she is suffering from a disease in her eyes. Shall we apply *Kuhl* to it?' He replied, **'No.'** Agreed upon.

١١٥١ ــ وَعَنْ جَابِرٍ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : طُلِّقَتْ خَالَتِي ، فَأَرَادَتْ أَنْ تَجُدَّ نَخْلَهَا ، فَزَجَرَهَا رَجُلٌ أَنْ تَخْرُجَ ، فَأَتَتِ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ : «بَلَى ، جُدِّي نَخْلَكِ ، فَإِنَّكِ عَسَى أَنْ تَصَدَّقِي أَوْ تَفْعَلِي مَعْرُوفًا». رَوَاهُ مُسْلِمٌ .

1151. Jâbir (RAA) narrated, 'My maternal aunt was divorced thrice, and she wanted to reap some dates of hers, but a man saw

her and blamed her for going out. She came to the Messenger of Allâh ﷺ to complain, and he said to her, **"Certainly, go and reap your palms, so you may give in charity thereof or do a good deed."** Related by Muslim.

١١٥٢ ــ وَعَــنْ فُرَيْعَةَ بِنْتِ مَالِكٍ : أَنَّ زَوْجَهَا خَرَجَ فِي طَلَبِ أَعْبُدٍ لَهُ ، فَقَتَلُوهُ ، قَالَتْ : فَسَأَلْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنْ أَرْجِعَ إِلَى أَهْلِي ، فَإِنَّ زَوْجِي لَمْ يَتْرُكْ لِي مَسْكَنًا يَمْلِكُهُ ، وَلاَ نَفَقَةً ، فَقَالَ : «نَعَمْ» . فَلَمَّا كُنْتُ فِي الْحُجْرَةِ نَادَانِي فَقَــالَ : «امْكُثِي فِي بَيْتِكِ حَتَّى يَبْلُغَ الْكِتَابُ أَجَلَهُ» . قَالَتْ : فَاعْتَدَدْتُ فِيهِ أَرْبَعَةَ أَشْــهُرٍ وَعَشْــرًا ، قَالَتْ : فَقَضَى بِهِ بَعْدَ ذَلِكَ عُثْمَانُ . أَخْرَجَهُ أَحْمَدُ ، وَالأَرْبَعَةُ ، وَصَحَّحَهُ التِّرْمِذِيُّ ، وَالذُّهْلِيُّ ، وَابْنُ حِبَّانَ ، وَالْحَاكِمُ ، وَغَيْرُهُمْ .

1152. Furai´ah bint Mâlik narrated, 'My husband went out in search of some of his slaves, and they killed him. I asked the Messenger of Allâh ﷺ to go back to my people, for my husband left me without a house that belonged to him or maintenance.' He said to me, **"Yes (go to your family)."** When I was in my room he called me and said, **"Stay at your place until you finish your prescribed *'Iddah*."** She said, 'So I stayed there for four months and ten days.' She added,'Uthmân used to follow the same ruling later on(i.e. for the *'Iddah* of the woman whose husband died).' Related by Ahmad and the four Imâms. At-Tirmidhî, adh-Dhuhalî, Ibn Hibbân and al-Hâkim graded it as *Sahîh*.

١١٥٣ ــ وَعَــنْ فَاطِمَةَ بِنْتِ قَيْسٍ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : قُلْتُ : «يَا رَسُولَ اللَّــهِ ، إِنَّ زَوْجِــي طَلَّقَــنِي ثَلاَثًا ، وَأَخَافُ أَنْ يُقْتَحَمَ عَلَيَّ ، فَأَمَرَهَا فَتَحَوَّلَتْ». رَوَاهُ مُسْلِمٌ .

1153. Fâtimah bint Qais narrated, 'I said: O Messenger of Allâh! My husband divorced me thrice and I am afraid that someone may attack me (as she was staying in a deserted place).' The Messenger of Allâh gave her permission to move to another house (to spend her *'Iddah* there.)' Related by Muslim.

١١٥٤ ـــ وَعَـــنْ عُمَرِو بْنِ الْعَاصِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «لاَ تُلْبِسُوا عَلَيْنَا سُنَّةَ نَبِيِّنَا : عِدَّةُ أُمِّ الْوَلَدِ إِذَا تُوُفِّيَ سَيِّدُهَا أَرْبَعَةُ أَشْهُرٍ وَعَشْرٌ». رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَابْنُ مَاجَهْ ، وَصَحَّحَهُ الْحَاكِمُ ، وَأَعَلَّهُ الدَّارَقُطْنِيُّ بِالإِنْقِطَاعِ .

1154. ´Amro bin al-´Âs (RAA) narrated, 'Do not confuse us about the *Sunnah* of our Prophet ﷺ. The *´Iddah* of the slave woman, who is the mother of a child (born free), and her master died, is four months and ten days.' Related by Ahmad, Abû Dawûd and Ibn Mâjah. Al-Hâkim graded it as *Sahîh*.

١١٥٥ ـــ وَعَـــنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : «طَلاَقُ الأَمَةِ تَطْلِيقَتَانِ ، وَعِدَّتُهَا حَيْضَتَانِ». رَوَاهُ الدَّارَقُطْنِيُّ ، وَأَخْرَجَهُ مَرْفُوعًا وَضَعَّفَهُ .

1155. Ibn ´Umar (RAA) narrated, 'The slave woman has only two pronouncements of divorce (unlike the free woman who has three), and her *´Iddah* is only for two menstrual cycles.' Related by Ad-Dâraqutnî.

١١٥٦ ـــ وَأَخْرَجَهُ أَبُو دَاوُدَ ، وَالتِّرْمِذِيُّ ، وَابْنُ مَاجَهْ مِنْ حَدِيثِ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - ، وَصَحَّحَهُ الْحَاكِمُ وَخَالَفُوهُ ، فَاتَّفَقُوا عَلَى ضَعْفِهِ .

1156. Abû Dawûd, At-Tirmidhî and Ibn Mâjah related the same *Hadîth* on the authority of ´Â'ishah (RAA). Al-Hâkim graded it as *Sahîh* but some scholars rendered it weak.

١١٥٧ ـــ وَعَـــنْ رُوَيْفِـــعِ بْنِ ثَابِتٍ - رَضِيَ اللَّهُ عَنْهُ - ، عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لاَ يَحِلُّ لاِمْرِيءٍ يُؤْمِنُ بِاللَّهِ وَالْيَوْمِ الآخِرِ أَنْ يَسْقِيَ مَاءَهُ زَرْعَ غَيْرِهِ». أَخْرَجَهُ أَبُو دَاوُدَ ، وَالتِّرْمِذِيُّ ، وَصَحَّحَهُ ابْنُ حِبَّانَ ، وَحَسَّنَهُ الْبَزَّارُ .

1157. Ruwaifi´ bin Thâbit (RAA) narrated that the Messenger of Allâh ﷺ said, **"It is not lawful for a man who believes in Allâh and the Day of Resurrection to have intercourse with a slave woman** (newly bought) **who is already pregnant."**[330]

330- If a man buys a slave woman and discovers that she is already pregnant he is not allowed to have intercourse with her until she delivers the

Related by Abû Dawûd and At-Tirmidhî. Ibn Hibbân graded it as *Sahîh*.

١١٥٨ ـ وَعَنْ عُمَرَ - رَضِيَ اللَّهُ عَنْهُ - فِي امْرَأَةِ الْمَفْقُودِ : «تَرَبَّصُ أَرْبَعَ سِنِينَ ، ثُمَّ تَعْتَدُّ أَرْبَعَةَ أَشْهُرٍ وَعَشْرًا». أَخْرَجَهُ مَالِكٌ ، وَالشَّافِعِيُّ .

1158. Ibn 'Umar narrated concerning the wife of a lost man (who is absent and his news ceases to reach her), that she must wait for four years and then have an *'Iddah* for four months and ten days (assuming that he died). Related by Mâlik and Ash-Shâfi'î.

١١٥٩ ـ وَعَنِ الْمُغِيرَةِ بْنِ شُعْبَةَ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «امْرَأَةُ الْمَفْقُودِ امْرَأَتُهُ حَتَّى يَأْتِيَهَا الْبَيَانُ». أَخْرَجَهُ الدَّارَقُطْنِيُّ بِإِسْنَادٍ ضَعِيفٍ .

1159. Al-Mughîrah bin Shu'bah narrated that the Messenger of Allâh ﷺ said, **"The wife of a lost man remains his wife, until she gets certain news about his fate."** Related by Ad-Dâraqutnî with a weak chain of narrators.

١١٦٠ ـ وَعَنْ جَابِرٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ يَبِيتَنَّ رَجُلٌ عِنْدَ امْرَأَةٍ إِلاَّ أَنْ يَكُونَ نَاكِحًا ، أَوْ ذَا مَحْرَمٍ». رَوَاهُ مُسْلِمٌ.

1160. Jâbir bin 'Abdullâh (RAA) narrated that the Messenger of Allâh ﷺ said, **"No man is allowed to spend the night in the house of another woman unless he is married to her, or of her *Mahrams* (who are not allowed to marry her.)"** Related by Muslim.

١١٦١ ـ وَعَنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - ، عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لاَ يَخْلُوَنَّ رَجُلٌ بِامْرَأَةٍ إِلاَّ مَعَ ذِي مَحْرَمٍ». أَخْرَجَهُ الْبُخَارِيُّ .

1161. Ibn 'Abbâs (RAA) narrated that the Messenger of Allâh ﷺ said, **"No man should be alone with a woman unless it is**

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child. If he is not sure that she is pregnant, then she must have *'Iddah* for one menstrual period before he can have intercourse with her.

**in the presence of one of her *Mahrams*** (male relatives that she cannot marry)." Related by Al-Bukhârî.

١١٦٢ ـــ وَعَنْ أَبِي سَعِيد - رَضِيَ اللَّهُ عَنْهُ - : أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ فِـــي سَبَايَا أَوْطَاسٍ : «لاَ تُوطَأُ حَامِلٌ حَتَّى تَضَعَ ، وَلاَ غَيْرُ ذَاتِ حَمْلٍ حَتَّى تَحِيضَ حَيْضَةً». أَخْرَجَهُ أَبُو دَاوُدَ ، وَصَحَّحَهُ الْحَاكِمُ .

1162. Abû Sa'îd Al-Khudrî(RAA) narrated that the Messenger of Allâh ﷺ said regarding the captive women taken in *Autâs* (the location of a battle), **"You should not have intercourse with a pregnant woman until she gives birth, nor with a non-pregnant woman until she has one menstrual cycle."** Related by Abû Dawûd. Al-Hâkim graded it as *Sahîh*.

١١٦٣ ـــ وَلَهُ شَاهِدٌ عَنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - فِي الدَّارَقُطْنِيِّ .

1163. There is a similar hadîth transmitted by Ad-Dâraqutnî on the authority of Ibn 'Abbâs.

١١٦٤ ـــ وَعَـــنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - ، عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «الْوَلَدُ لِلْفِرَاشِ ، وَلِلْعَاهِرِ الْحَجَرُ». مُتَّفَقٌ عَلَيْهِ مِنْ حَدِيثِهِ .

1164. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"The child is to be attributed to the one on whose bed he is born, and as for a woman adulterer she is to be stoned."** Agreed upon.

١١٦٥ ، ١١٦٦ ، ١١٦٧ ـــ وَمِنْ حَدِيثِ عَائِشَةَ فِي قِصَّةٍ ، وَعَنِ ابْنِ مَسْعُودٍ عِنْدَ النَّسَائِيِّ ، وَعَنْ عُثْمَانَ عِنْدَ أَبِي دَاوُدَ .

1165, 1166, 1167. An-Nasâ'î transmitted the same hadîth on the authority of 'Â'ishah and Ibn Mas'ûd (RAA). Abû Dawûd related it on the authority of 'Uthmân.

# بَـــابُ الرِّضَـــاعِ

## *Chapter XIII: Ri<u>d</u>â´ (Becoming Unmarriageable Kin By Suckling)*

١١٦٨ــ عَــنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ تُحَرِّمُ الْمَصَّةُ وَالْمَصَّتَانِ». أَخْرَجَهُ مُسْلِمٌ .

1168. ´Â'ishah (RAA) narrated that the Messenger of Allâh ﷺ said, **"One or two sucklings would not make marriage unlawful."**Related by Muslim

١١٦٩ ــ وَعَــنْهَا - رَضِــيَ اللَّهُ عَنْهَا - قَالَتْ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «انْظُرْنَ مِنْ إِخْوَانِكُنَّ ، فَإِنَّمَا الرَّضَاعَةُ مِنَ الْمَجَاعَةِ» مُتَّفَقٌ عَلَيْهِ .

1169. ´Â'ishah (RAA) narrated that the Messenger of Allâh ﷺ said, **"Be sure as to who your foster brothers are, for the foster (suckling) relationship is confirmed when milk is still the essential food for the child** (the only food that satisfies his hunger)." Agreed upon.

١١٧٠ ــ وَعَنْهَا - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : جَاءَتْ سَهْلَةُ بِنْتُ سُهَيْلٍ ، فَقَالَتْ : يَا رَسُولَ اللَّهِ ، إِنَّ سَالِمًا مَوْلَى أَبِي حُذَيْفَةَ مَعَنَا فِي بَيْتِنَا ، وَقَدْ بَلَغَ مَا يَبْلُغُ الرِّجَالُ ، فَقَالَ : «أَرْضِعِيهِ تَحْرُمِي عَلَيْهِ». رَوَاهُ مُسْلِمٌ .

1170. ´Â'ishah (RAA) narrated that Sahlah bint Suhail came and said, 'O Messenger of Allâh ﷺ! Sâlim the client of Abû <u>H</u>udhaifah lives with us in the same house, and he has now reached puberty.' The Messenger of Allâh ﷺ said to her, **"Suckle him so that he may become unlawful** (in regard to marriage) **for you."**[331] Related by Muslim.

331- Scholars are of the opinion that this <u>h</u>adîth is not a common ruling, as it is only infants who are normally breastfed. In this case, the messenger of Allâh ﷺ meant that she may give him some of her milk (in a cup) and thus she would foster him, and not actually suckle him as he is a grown

١١٧١ ــ وَعَنْهَا : أَنَّ أَفْلَحَ - أَخَا أَبِي الْقُعَيْسِ - جَاءَ يَسْتَأْذِنُ عَلَيْهَا بَعْدَ الْحِجَابِ ، قَالَتْ : فَأَبَيتُ أَنْ آذَنَ لَهُ ، فَلَمَّا جَاءَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَخْبَرْتُهُ بِالَّذِي صَنَعْتُهُ ، فَأَمَرَنِي أَنْ آذَنَ لَهُ عَلَيَّ ، وَقَالَ : «إِنَّهُ عَمُّكِ». مُتَّفَقٌ عَلَيْهِ .

1171. ´Â'ishah (RAA) narrated that Aflah the brother of Abû al-Qu´ais (Aflah is her foster uncle) came and asked for permission to enter upon her after the verse of the ***Hijâb*** (the veiling of women) was revealed. ´Â'ishah added, 'But I refused to let him in. When the Messenger of Allâh ﷺ came, I told him what happened, so he commanded me to give him permission to come into my presence and said, **"He is your uncle."** Agreed upon

١١٧٢ ــ وَعَنْهَا - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «كَانَ فِيمَا أُنْزِلَ مِنَ الْقُرْآنِ : عَشْرُ رَضَعَاتٍ مَعْلُومَاتٍ يُحَرِّمْنَ ، ثُمَّ نُسِخْنَ بِخَمْسٍ مَعْلُومَاتٍ ، فَتُوُفِّيَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَهِيَ فِيمَا يُقْرَأُ مِنَ الْقُرْآنِ». رَوَاهُ مُسْلِمٌ .

1172. ´Â'ishah (RAA) narrated, 'It had been revealed in the Holy Qur'ân that ten (definitely) known suck lings make the marriage unlawful, but that was abrogated (and substituted) by five known sucklings. When the Messenger of Allâh ﷺ died, they were still read (their recitation was finally abrogated from the Qur'ân before his death, but the ruling still applies)." Related by Muslim.

١١٧٣ ــ وَعَنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - : أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أُرِيدَ عَلَى ابْنَةِ حَمْزَةَ ، فَقَالَ : «إِنَّهَا لاَ تَحِلُّ لِي ، إِنَّهَا ابْنَةُ أَخِي مِنَ الرَّضَاعَةِ ، وَيَحْرُمُ مِنَ الرَّضَاعَةِ مَا يَحْرُمُ مِنَ النَّسَبِ». مُتَّفَقٌ عَلَيْهِ .

1173. Ibn ´Abbâs (RAA) narrated, 'The Messenger of Allâh ﷺ was asked to marry the daughter of Hamzah (his cousin and foster brother), he said, **"She is unlawful for me as she is the daughter of my foster brother. What is unlawful due to blood relations, is also unlawful due to *Ridâ´ah* (suckling)."** Agreed upon.

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man and she cannot uncover in front of him. But the majority of scholars are of the opinion that fosterage only applies to infants within the first two years.

١١٧٤ ـــ وَعَـــنْ أُمِّ سَلَمَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَـيْهِ وَسَـلَّمَ : «لاَ يُحَـرِّمُ مِنَ الرَّضَاعِ إلاَّ مَا فَتَقَ الأَمْعَاءَ ، وَكَانَ قَبْلَ الْفِطَامِ». رَوَاهُ التِّرْمِذِيُّ ، وَصَحَّحَهُ هُوَ وَالْحَاكِمُ .

1174. Umm Salamah (RAA) narrated that the Messenger of Allâh ﷺ said, **"The only suckling which makes marriage unlawful is that which is absorbed in the bowels and was before the time of weaning."** Related by At-Tirmidhî. He and al-Hâkim graded it as Sahîh.

١١٧٥ ـــ وَعَـــنِ ابْـــنِ عَـبَّاسٍ - رَضِـــيَ اللَّهُ عَنْهُمَا - قَالَ : «لاَ رَضَاعَ إلاَّ فِي الْحَوْلَيْنِ». رَوَاهُ الدَّارَقُطْنِيُّ ، وَابْنُ عَدِيٍّ ، مَرْفُوعًا وَمَوْقُوفًا ، وَرَجَّحَا الْمَوْقُوفَ .

1175. Ibn ´Abbâs (RAA) narrated, *'Ridâ´* (suckling) only applies to infants during the first two years of age.' Related by Ad-Dâraqutnî and Ibn ´Adî.

١١٧٦ ـــ وَعَـــنِ ابْنِ مَسْعُودٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ رَضَاعَ إلاَّ مَا أَنْشَزَ الْعَظْمَ ، وَأَنْبَتَ اللَّحْمَ». أَخْرَجَهُ أَبُو دَاوُدَ .

1176. Ibn Mas´ûd (RAA) narrated that the Messenger of Allâh ﷺ said, **"The only suckling which makes marriage unlawful is that which strengthens the bones and lets the flesh grow."** Related by Abû Dawûd.

١١٧٧ ـــ وَعَـــنْ عُقْبَةَ بْنِ الْحَارِثِ : أَنَّهُ تَزَوَّجَ أُمَّ يَحْيَى بِنْتَ أَبِي إِهَابٍ ، فَجَاءَتِ امْـرَأَةٌ ، فَقَالَـــتْ : لَقَـــدْ أَرْضَـــعْتُكُمَا . فَسَأَلَ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ : «كَيْفَ وَقَدْ قِيلَ ؟». فَفَارَقَهَا عُقْبَةُ ، فَنَكَحَتْ زَوْجًا غَيْرَهُ . أَخْرَجَهُ الْبُخَارِيُّ .

1177. ´Uqbah bint Al-Hârith narrated that he married Umm Yehiâ bint Abî Ihâb. A woman came along and said,'I suckled both of you.' ´Uqbah then asked the Messenger of Allâh ﷺ who said to him, **"How can you hesitate** (about separating from her)**, after you have been told** (that you were suckled from the same woman)?" Uqbah then separated from her and she married another man. Related by Al-Bukhârî.

١١٧٨ ــ وَعَــنْ زِيَــادِ السَّهْمِيِّ قَالَ : «نَهَى رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنْ تُسْتَرْضَعَ الْحَمْقَى». أَخْرَجَهُ أَبُو دَاوُدَ ، وَهُوَ مُرْسَلٌ ، وَلَيْسَتْ لِزِيَادٍ صُحْبَةٌ .

1178. Ziâd As-Sahmî (RAA) narrated, 'The Messenger of Allâh ﷺ prohibited that a foolish woman be asked to suckle an infant.[332] Related by Abû Dawûd. It is a _Hadîth_ *Mursal* and Ziâd is not a Companion.

## بَــابُ النَّفَقَــاتِ

## *Chapter XIV: Maintenance*

١١٧٩ ــ عَــنْ عَائِشَةَ – رَضِيَ اللَّهُ عَنْهَا – قَالَتْ : دَخَلَتْ هِنْدُ بِنْتُ عُتْبَةَ – امْرَأَةُ أَبِــي سُفْيَانَ – عَلَى رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، فَقَالَتْ : يَا رَسُولَ اللَّهِ ، إِنَّ أَبَا سُفْيَانَ رَجُلٌ شَحِيحٌ لاَ يُعْطِينِي مِنَ النَّفَقَةِ مَا يَكْفِينِي وَيَكْفِي بَنِيَّ ، إِلاَّ مَا أَخَذْتُ مِــنْ مَالِــهِ بِغَيْرِ عِلْمِهِ ، فَهَلْ عَلَيَّ فِي ذَلِكَ مِنْ جُنَاحٍ ؟ . فَقَالَ : «خُذِي مِنْ مَالِهِ بِالْمَعْرُوفِ مَا يَكْفِيكِ وَمَا يَكْفِي بَنِيكِ». مُتَّفَقٌ عَلَيْهِ .

1179. 'Â'ishah (RAA) narrated that Hind bint 'Utbah –the wife of Abî Sufiân- came to the Messenger of Allâh ﷺ and said, 'O Messenger of Allâh! Abû Sufiân is a miser and he does not give enough maintenance for me and my children except what I used to take from him without his knowledge. Am I to be blamed for that?' The Prophet ﷺ said to her, **"Take what is sufficient for you and your children but in moderation** (take only in reasonable amounts)." Agreed upon.

١١٨٠ ــ وعــن طَارِقٍ الْمُحَارِبِيِّ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : قَدِمْنَا الْمَدِينَةَ ، فَإِذَا رَسُــولُ اللَّــهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَائِمٌ عَلَى الْمِنْبَرِ يَخْطُبُ النَّاسَ ، وَيَقُولُ : «يَدُ

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332- Scholars say that the wisdom behind this prohibition could be that bad character may be inherited, so it is better to choose one with fine qualities.

الْمُعْطِـي الْعُلْـيَا ، وَابْـدَأْ بِمَنْ تَعُولُ : أُمَّكَ وَأَبَاكَ ، وَأُخْتَكَ وَأَخَاكَ ، ثُمَّ أَدْنَاكَ فَأَدْنَاكَ». رَوَاهُ النَّسَائِيُّ ، وَصَحَّحَهُ ابْنُ حِبَّانَ ، وَالدَّارَقُطْنِيُّ .

1180. Târiq Al-Muhâribî (RAA) narrated, 'We arrived in Madînah when the Messenger of Allâh ﷺ was on the pulpit addressing the people and saying, **"The hand which gives (charity) is the upper hand. And spend first** (before giving charity) **on the ones who are dependent on you: your mother and father, your sister and brother, then your closer relatives and so on."** Related by An-Nasâ'î. Ibn Hibbân and ad-Dâraqutnî graded it as *Sahîh*.

١١٨١ ـــ وَعَـنْ أَبِـي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَـيْهِ وَسَـلَّمَ : «لِلْمَمْلُوكِ طَعَامُهُ وَكُسْوَتُهُ ، وَلاَ يُكَلَّفُ مِنَ الْعَمَلِ إِلاَّ مَا يُطِيقُ». رَوَاهُ مُسْلِمٌ .

1181. Abû Hurairah narrated that the Messenger of Allâh ﷺ said,**"A slave is entitled to his food and clothing** (spent by his master)**, and he is not to be given tasks that are beyond his ability."** Related by Muslim.

١١٨٢ ـــ وَعَنْ حَكِيمِ بْنِ مُعَاوِيَةَ الْقُشَيْرِيِّ عَنْ أَبِيهِ قَالَ : قُلْتُ : يَا رَسُولَ اللَّهِ ، مَا حَقُّ زَوْجَةِ أَحَدِنَا عَلَيْهِ ؟ قَالَ : «أَنْ تُطْعِمَهَا إِذَا طَعِمْتَ ، وَتَكْسُوهَا إِذَا اكْتَسَيْتَ». الْحَدِيثَ . وَتَقَدَّمَ فِي عِشْرَةِ النِّسَاءِ .

1182. Hakîm bin Mu'âwiyah Al-Qushairî narrated on the authority of his father, 'I asked: 'O Messenger of Allâh! What are the rights of one's wife upon her husband?' The Prophet ﷺ said, **"To feed her when you eat, and clothe her when you clothe yourself."** (see hadîth no. 1052).

١١٨٣ ـــ وَعَـنْ جَابِرٍ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - ، عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فِي حَدِيثِ الْحَجِّ بِطُولِهِ قَالَ فِي ذِكْرِ النِّسَاءِ - : «وَلَهُنَّ عَلَيْكُمْ رِزْقُهُنَّ وَكِسْوَتُهُنَّ بِالْمَعْرُوفِ». أَخْرَجَهُ مُسْلِمٌ .

1183. Jâbir bin 'Abdullâh (RAA) narrated, 'In the Farewell

Sermon, the Messenger of Allâh ﷺ said regarding women, **"You are responsible for their maintenance and clothing in a fair manner."** Related by Muslim.

١١٨٤ ـــ وَعَنْ عَبْدِاللَّهِ بْنِ عُمَرَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «كَفَى بِالْمَرْءِ إِثْمًا أَنْ يُضَيِّعَ مَنْ يَقُوتُ». رَوَاهُ النَّسَائِيُّ . وَهُوَ عِنْدَ مُسْلِمٍ بِلَفْظِ : «أَنْ يَحْبِسَ عَمَّنْ يَمْلِكُ قُوتَهُ».

1184. 'Abdullâh Ibn 'Umar (RAA) narrated that the Messenger of Allâh ﷺ said, **"It is a grave sin for someone to destroy those for whom he is responsible for their maintenance** (leave them without paying their necessary provisions)." Related by An-Nasâ'î.

In the version of Muslim, **"...to withhold his provisions from those he possesses** (his slaves)."

١١٨٥ ـــ وَعَـــنْ جَابِرٍ ـــ يَرْفَعُهُ ، فِي الْحَامِلِ الْمُتَوَفَّى عَنْهَا زَوْجُهَا - قَالَ : «لاَ نَفَقَةَ لَهَا» أَخْرَجَهُ الْبَيْهَقِيُّ ، وَرِجَالُهُ ثِقَاتٌ ، لَكِنْ قَالَ : الْمَحْفُوظُ وَقْفُهُ .

1185. Jâbir (RAA) narrated concerning the pregnant woman whose husband died, that the Messenger of Allâh ﷺ said, **"She has no right to maintenance."** Related by Al-Baihaqî with a reliable chain of narrators, but he regarded it as *Mawqûf*.

١١٨٦ ـــ وَثَبَـــتَ نَفْـــيُ النَّفَقَةِ فِي حَدِيثِ فَاطِمَةَ بِنْتِ قَيْسٍ - رَضِيَ اللَّهُ عَنْهَا - كَمَا تَقَدَّمَ . رَوَاهُ مُسْلِمٌ .

1186. It was mentioned earlier that the one who was divorced thrice is not entitled to maintenance (see hadîth no. 1147). Related by Muslim.

١١٨٧ ـــ وَعَـــنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّـــهُ عَلَـــيْهِ وَسَلَّمَ : «الْيَدُ الْعُلْيَا خَيْرٌ مِنَ الْيَدِ السُّفْلَى ، وَيَبْدَأُ أَحَدُكُمْ بِمَنْ يَعُولُ ، تَقُولُ الْمَرْأَةُ : أَطْعِمْنِي أَوْ طَلِّقْنِي». رَوَاهُ الدَّارَقُطْنِيُّ ، وَإِسْنَادُهُ حَسَنٌ .

1187. Abû Hurairah (RAA) narrated that the Messenger of

Allâh ﷺ said,**"The upper hand is better than the lower hand** (i.e. he who gives in charity is better than he who takes it). **And spend first on the ones who are dependent on you. A woman would say: 'Feed me or divorce me.'"** Related by Ad-Dâraqutnî with a good chain of narrators.

١١٨٨ ــ وَعَنْ سَعِيدِ بْنِ الْمُسَيَّبِ - فِي الرَّجُلِ لاَ يَجِدُ مَا يُنْفِقُ عَلَى أَهْلِهِ - قَالَ : «يُفَرَّقُ بَيْنَهُمَا». أَخْرَجَهُ سَعِيدُ بْنُ مَنْصُورٍ عَنْ سُفْيَانَ ، عَنْ أَبِي الزِّنَادِ عَنْهُ ، قَالَ : قُلْتُ لِسَعِيدِ بْنِ الْمُسَيَّبِ : سُنَّةٌ ؟ فَقَالَ : سُنَّةٌ . وَهَذَا مُرْسَلٌ قَوِيٌّ .

1188. Sa'îd bin al-Musaiyab narrated regarding a man who finds nothing to spend on his wife, 'They should be separated.' Related by Sa'îd bin Mansûr on the authority of Sufiân on the authority of Abû az-Zinâd who said,'I asked Sa'îd bin al-Musaiyab: Does this relate to the Sunnah of the Prophet ﷺ?' He replied: "Yes it does." This *Hadîth* is a *Mursal*.

١١٨٩ ــ وَعَنْ عُمَرَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - : «أَنَّهُ كَتَبَ إِلَى أُمَرَاءِ الأَجْنَادِ فِي رِجَالٍ غَابُوا عَنْ نِسَائِهِمْ أَنْ يَأْخُذُوهُمْ بِأَنْ يُنْفِقُوا أَوْ يُطَلِّقُوا ، فَإِنْ طَلَّقُوا بَعَثُوا بِنَفَقَةِ مَا حَبَسُوا». أَخْرَجَهُ الشَّافِعِيُّ ، ثُمَّ الْبَيْهَقِيُّ بِإِسْنَادٍ حَسَنٍ .

1189. 'Umar (RAA) narrated that he wrote to the commanders of the armies regarding some men (soldiers) who had been absent from their wives for long periods of time, telling them to send maintenance or divorce them. If they divorce, they should send them maintenance for the period that they had stopped paying it. Related by ash-Shâfi'î and al-Baihaqî with a good chain of narrators.

١١٩٠ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : جَاءَ رَجُلٌ إِلَى النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ : يَا رَسُولَ اللَّهِ ، عِنْدِي دِينَارٌ ؟ قَالَ : «أَنْفِقْهُ عَلَى نَفْسِكَ». قَالَ : عِنْدِي آخَرُ ؟ فَقَالَ : «أَنْفِقْهُ عَلَى وَلَدِكَ». قَالَ : عِنْدِي آخَرُ ؟ قَالَ : «أَنْفِقْهُ على أَهْلِكَ». قَالَ : عِنْدِي آخَرُ ؟ قَالَ : «أَنْفِقْهُ عَلَى خَادِمِكَ». قَالَ : عِنْدِي آخَرُ ؟ قَالَ : «أَنْتَ أَعْلَمُ». أَخْرَجَهُ الشَّافِعِيُّ ، وَأَبُو دَاوُدَ ، وَاللَّفْظُ لَهُ ، وَأَخْرَجَهُ النَّسَائِيُّ ، وَالْحَاكِمُ بِتَقْدِيمِ الزَّوْجَةِ على الْوَلَدِ .

1190. Abû Hurairah (RAA) narrated that a man came to the Messenger of Allâh ﷺ and said, 'Allâh's Messenger, I have a Dînâr?' He then said to him, **"Spend it on yourself."** The man again said,'I have another one.' The Messenger of Allâh ﷺ said, **"Spend it on your children."** He said, 'I have another one.' He said, **"Spend it on your wife."** The man again said, 'I have another one.' The Messenger of Allâh ﷺ said, **"Spend it on your servant."** He said, 'I have another one.' The Messenger of Allâh ﷺ said, **"You know better to whom you should give it."** Related by Ash-Shâfi'î and Abû Dawûd and the wording is his. An-Nasâ'î and al-Hâkim also transmitted it, but mentioned the wife before the children.

١١٩١ ـــ وَعَـــنْ بَهْـــزِ بْـــنِ حَكِيمٍ عَنْ أَبِيهِ عَنْ جَدِّهِ - رَضِيَ اللَّهُ عَنْهُمْ - قَالَ : قُلْـــتُ : يَا رَسُولَ اللَّهِ ، مَنْ أَبَرُّ ؟ قَالَ : «أُمَّكَ». قُلْتَ : ثُمَّ مَنْ ؟ قَالَ : «أُمَّكَ». قُلْـــتُ : ثُـــمَّ مَـــنْ ؟ قَالَ : «أُمَّكَ». قُلْتُ : ثُمَّ مَنْ ؟ قَالَ : «أَبَاكَ ، ثُمَّ الأَقْرَبَ فَالأَقْرَبَ». أَخْرَجَهُ أَبُو دَاوُدَ وَالتِّرْمِذِيُّ وَحَسَّنَهُ .

1191. Bahz bin Hakîm narrated on the authority of his father on the authority of his grandfather (RAA), that I said: 'O Messenger of Allâh! Who deserves my best treatment?' The Messenger of Allâh ﷺ said, **'Your mother."** I said again, 'Then who?' He said, **"Your mother."** I said, 'Then who?' He said, **"Your mother."** I said, 'Then who?' He said, **"Your father, and then your closer relatives and so on."** Related by Abû Dawûd and At-Tirmidhî, who rendered it *Hasan*.

## بَـــابُ الْحَضَانَـــةِ

## *Chapter XV: Child Care and Custody*

١١٩٢ ـــ عَـــنْ عَبْدِاللَّهِ بْنِ عَمْرٍو ، أَنَّ امْرَأَةً قَالَتْ : يَا رَسُولَ اللَّهِ ، إِنَّ ابْنِي كَانَ بَطْـــنِي لَهُ وِعَاءً ، وَثَدْيِي لَهُ سِقَاءً ، وَحِجْرِي لَهُ حِوَاءً ، وَإِنَّ أَبَاهُ طَلَّقَنِي ، وَأَرَادَ أَنْ

يَنْزِعَهُ مِنِّي ، فَقَالَ لَهَا رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «أَنْتِ أَحَقُّ بِهِ ، مَا لَمْ تَنْكِحِي». رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَصَحَّحَهُ الْحَاكِمُ .

1192. 'Abdullâh bin 'Umar (RAA) narrated, 'A woman said, 'O Messenger of Allâh! This is my son; for him my womb was a vessel, my breast was like a water skin, and my lap was his bedding, yet his father divorced me and wants to take him away from me.' The Messenger of Allâh ﷺ said to her, **"You have more right to keep him unless you get married."** Related by Ahmad and Abû Dawûd. Al-Hâkim graded it as *Sahih*.

١١٩٣ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - : أَنَّ امْرَأَةً قَالَتْ : يَا رَسُولَ اللَّهِ ، إِنَّ زَوْجِي يُرِيدُ أَنْ يَذْهَبَ بِابْنِي ، وَقَدْ نَفَعَنِي وَسَقَانِي مِنْ بِئْرِ أَبِي عِنَبَةَ ، فَجَاءَ زَوْجُهَا ، فَقَالَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «يَا غُلامُ ، هَذَا أَبُوكَ وَ هَذِهِ أُمُّكَ ، فَخُذْ بِيَدِ أَيِّهِمَا شِئْتَ». فَأَخَذَ بِيَدِ أُمِّهِ ، فَانْطَلَقَتْ بِهِ ، رَوَاهُ أَحْمَدُ . وَالأَرْبَعَةُ ، وَصَحَّحَهُ التِّرْمِذِيُّ .

1193. Abû Hurairah (RAA) narrated that a woman said: 'O Messenger of Allâh! My husband wants to take away my son, and he is helping me and draws water for me from the well of Abû 'Inabah (i.e. her son). Her husband came and the Messenger of Allâh ﷺ said, **"O boy! This is your father and this is your mother, take the hand of whoever you wish of them.[333]"** The boy then took his mother's hand and she went away with him.' Related by Ahmad and the four Imâms. At-Tirmidhî graded it as *Sahih*.

١١٩٤ ــ وَعَنْ رَافِعِ بْنِ سِنَانٍ - رَضِيَ اللَّهُ عَنْهُ - : أَنَّهُ أَسْلَمَ ، وَأَبَتِ امْرَأَتُهُ أَنْ تُسْلِمَ ، فَأَقْعَدَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ الأُمَّ نَاحِيَةً ، وَالأَبَ نَاحِيَةً ، وَأَقْعَدَ

333- This is a proof that when the child starts to be independent he is given the choice between staying with the mother or the father.

الصَّبِيَّ بَيْنَهُمَا ، فَمَالَ إِلَى أُمِّهِ ، فَقَالَ : «اللَّهُمَّ اهْدِهِ». فَمَالَ إِلَى أَبِيهِ فَأَخَذَهُ . أَخْرَجَهُ أَبُو دَاوُدَ ، وَالنَّسَائِيُّ ، وَصَحَّحَهُ الْحَاكِمُ .

1194. Râfi´ bin Sinân (RAA) narrated that he embraced Islâm but his wife refused to do so. The Messenger of Allâh ﷺ made the mother sit on one side and the father sit on the other side and seated the boy between them. The boy then inclined to his mother. The Messenger of Allâh ﷺ said, **"O Allâh! Guide him.'** The boy then inclined to his father's side, and he took him and went away.' Related by Abû Dawûd and An-Nasâ'î. Al-Hâkim graded it as *Sahîh*.

١١٩٥ — وَعَنِ الْبَرَاءِ بْنِ عَازِبٍ : أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَضَى فِي ابْنَةِ حَمْزَةَ لِخَالَتِهَا ، وَقَالَ : «الْخَالَةُ بِمَنْزِلَةِ الأُمِّ». أَخْرَجَهُ الْبُخَارِيُّ .

1195. Al-Barâ' Ibn ´Âzib narrated that the Messenger of Allâh ﷺ ordained that the daughter of Hamzah should stay with her maternal aunt, and said, **"The maternal aunt has the same status as the mother."** Related by Al-Bukhârî.

١١٩٦ — وَأَخْرَجَهُ أَحْمَدُ مِنْ حَدِيثِ عَلِيٍّ – رَضِيَ اللَّهُ عَنْهُ – فَقَالَ : «وَالْجَارِيَةُ عِنْدَ خَالَتِهَا فَإِنَّ الْخَالَةَ وَالِدَةٌ».

1196. Ahmad transmitted the same hadîth on the authority of ´Alî (RAA) and said, 'The little girl must be given to the care of her aunt for the maternal aunt is like a mother.'

١١٩٧ — وَعَنْ أَبِي هُرَيْرَةَ – رَضِيَ اللَّهُ تَعَالَى عَنْهُ – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا أَتَى أَحَدَكُمْ خَادِمُهُ بِطَعَامِهِ فَإِنْ لَمْ يُجْلِسْهُ مَعَهُ ، فَلْيُنَاوِلْهُ لُقْمَةً أَوْ لُقْمَتَيْنِ». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِلْبُخَارِيِّ .

1197. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, "When the servant of one of you brings him his food, if he does not let him sit with him (to eat) he should give him one or two mouthfuls." Agreed upon and the wording is from Al-Bukhârî'.

١١٩٨ ـــ وَعَـــنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - ، عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَـــالَ : «عُذِّبَـــتِ امْرَأَةٌ فِي هِرَّةٍ سَجَنَتْهَا حَتَّى مَاتَتْ ، فَدَخَلَتْ النَّارَ فِيهَا ، لاَ هِيَ أَطْعَمَـــتْهَا وَسَـــقَتْهَا ، إِذْ حَبَسَـــتْهَا ، وَلاَ هِيَ تَرَكَتْهَا تَأْكُلُ مِنْ خَشَاشِ الأَرْضِ». مُتَّفَقٌ عَلَيْهِ .

1198. Ibn 'Umar narrated that the Messenger of Allâh ﷺ said, **'A woman was punished on account of a cat. She kept it locked in until it died. So, she was put in the Hell Fire because of what she did. She neither fed it or gave it water; as she locked her in, nor left her to eat from the creatures of the earth."** Agreed upon.

## كِتَابُ الْجِنَايَاتِ

# Book IX: Crimes (Qisâs or Retaliation)

## *Chapter I*

١١٩٩ ـ عَنِ ابْنِ مَسْعُودٍ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ يَحِلُّ دَمُ امْرِئٍ مُسْلِمٍ يَشْهَدُ أَنْ لاَ إِلَهَ إِلاَّ اللَّهُ ، وَأَنِّي رَسُولُ اللَّهِ ، إِلاَّ بِإِحْدَى ثَلاَثٍ : الثَّيِّبُ الزَّانِي ، وَالنَّفْسُ بِالنَّفْسِ ، وَالتَّارِكُ لِدِينِهِ الْمُفَارِقُ لِلْجَمَاعَةِ». مُتَّفَقٌ عَلَيْهِ .

1199. Ibn Mas´ûd (RAA) narrated that the Messenger of Allâh ﷺ said, **"The blood of a Muslim who testifies that none has the right to be worshipped but Allâh and that I am His Messenger, cannot be shed lawfully, except in three cases: a married person who committed adultery, in *Qisâs* (retaliation) for murder(life for life)and the apostate from Islâm who abandons the Muslim *Jamâ´ah* (community)."** Agreed upon.

١٢٠٠ ـ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - ، عَنْ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لاَ يَحِلُّ قَتْلُ مُسْلِمٍ إِلاَّ بِإِحْدَى ثَلاَثِ خِصَالٍ : زَانٍ مُحْصَنٍ فَيُرْجَمُ ، وَرَجُلٌ يَقْتُلُ مُسْلِمًا مُتَعَمِّدًا فَيُقْتَلُ ، وَرَجُلٌ يَخْرُجُ مِنَ الإِسْلاَمِ فَيُحَارِبُ اللَّهَ وَرَسُولَهُ ، فَيُقْتَلُ ، أَوْ يُصْلَبُ ، أَوْ يُنْفَى مِنَ الأَرْضِ». رَوَاهُ أَبُو دَاوُدَ ، وَالنَّسَائِيُّ ، وَصَحَّحَهُ الْحَاكِمُ .

1200. ´Â'ishah (RAA) narrated that Allâh's Messenger ﷺ said, **"The blood of a Muslim is not to be shed except for three reasons: a married man who committed adultery, a man who kills another Muslim intentionally for which he must be killed** (in *Qisâs* or retaliation), **and a man who abandons Islâm and fights against Allâh and His Messenger, in which**

**case he should be either killed, crucified, or exiled."** Related by Abû Dawûd and An-Nasâ'î. Al-Hâkim graded it as *Sahîh*.

١٢٠١ ـــ وَعَنْ عَبْدِاللَّهِ بْنِ مَسْعُودٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «أَوَّلُ مَا يُقْضَى بَيْنَ النَّاسِ يَوْمَ الْقِيَامَةِ فِي الدِّمَاءِ». مُتَّفَقٌ عَلَيْهِ .

1201. 'Abdullâh Ibn Mas'ûd (RAA) narrated that the Messenger of Allâh ﷺ said, **"The first issues to be judged among people on the Day of Resurrection, are those of unlawful blood-shed."** Agreed upon.

١٢٠٢ ـــ وَعَنْ سَمُرَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ رَسُولُ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ قَتَلَ عَبْدَهُ قَتَلْنَاهُ ، وَمَنْ جَدَعَ عَبْدَهُ جَدَعْنَاهُ». رَوَاهُ أَحْمَدُ ، وَالأَرْبَعَةُ ، وَحَسَّنَهُ التِّرْمِذِيُّ ، وَهُوَ مِنْ رِوَايَةِ الْحَسَنِ الْبَصْرِيِّ عَنْ سَمُرَةَ ، وَقَدِ اخْتُلِفَ فِي سَمَاعِهِ مِنْهُ .

وَفِي رِوَايَةِ أَبِي دَاوُدَ وَالنَّسَائِيِّ بِزِيَادَةِ : «وَمَنْ خَصَى عَبْدَهُ خَصَيْنَاهُ». وَصَحَّحَ الْحَاكِمُ هَذِهِ الزِّيَادَةَ .

1202. Samurah (RAA) narrated that the Messenger of Allâh ﷺ said, **"Whoever kills his slave we shall kill him, and whoever cuts the nose of his slave we shall cut off his nose."** Related by Ahmad and the four Imâms. At-Tirmidhî graded it as *Hasan*.

Abû Dawûd and An-Nasâ'î added the following, **"and whoever castrates his slave we shall castrate him."** Al-Hâkim graded this addition as *Sahîh*.

١٢٠٣ ـــ وَعَنْ عُمَرَ بْنِ الْخَطَّابِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ : «لاَ يُقَادُ الْوَالِدُ بِالْوَلَدِ». رَوَاهُ أَحْمَدُ ، وَالتِّرْمِذِيُّ ، وَابْنُ مَاجَهْ ، وَصَحَّحَهُ ابْنُ الْجَارُودِ وَالْبَيْهَقِيُّ ، وَقَالَ التِّرْمِذِيُّ : «إِنَّهُ مُضْطَرِبٌ» .

1203. 'Umar bin al-Khattâb (RAA) narrated, 'I heard the Messenger of Allâh ﷺ say, **"A father is not to be killed for his offspring."** Related by Ahmad, At-Tirmidhî and Ibn Mâjah. Ibn al-Gârûd and al-Baihaqî graded it as *Sahîh*.

١٢٠٤ ــ وَعَنْ أَبِي جُحَيْفَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ: قُلْتُ لِعَلِيٍّ: هَلْ عِنْدَكُمْ شَيْءٌ مِنَ الْوَحْيِ غَيْرَ الْقُرْآنِ؟ قَالَ: لاَ، وَالَّذِي فَلَقَ الْحَبَّةَ، وَبَرَأَ النَّسَمَةَ، إِلاَّ فَهْماً يُعْطِيهِ اللَّهُ - تَعَالَى - رَجُلاً فِي الْقُرْآنِ، وَمَا فِي هَذِهِ الصَّحِيفَةِ، قُلْتُ: وَمَا فِي هَذِهِ الصَّحِيفَةِ؟ قَالَ: «الْعَقْلُ، وَفَكَاكُ الأَسِيرِ، وَأَنْ لاَ يُقْتَلَ مُسْلِمٌ بِكَافِرٍ». رَوَاهُ الْبُخَارِيُّ.

1204. Abû Juhaifah (RAA) narrated,'I asked 'Alî: 'Do you have any other Divine Revelation besides what is in the Qur'ân? 'Alî said, 'No. By Him Who made the grain split (germinate) and created the soul, we have nothing besides the Qur'ân except the gift of understanding the Qur'ân, which Allâh gives a man, besides what is written in this manuscript. I said, 'What is in this manuscript?' 'Alî said, 'The regulations of *Diyah* (Blood money), the ransom for captives and the ruling that no Muslim should be killed in *Qisâs for* killing a disbeliever.' Related by Al-Bukhârî.

١٢٠٥ ــ وَأَخْرَجَهُ أَحْمَدُ، وَأَبُو دَاوُدَ، وَالنَّسَائِيُّ مِنْ وَجْهٍ آخَرَ عَنْ عَلِيٍّ - رَضِيَ اللَّهُ عَنْهُ - وَقَالَ فِيهِ: «الْمُؤْمِنُونَ تَتَكَافَأُ دِمَاؤُهُمْ، وَيَسْعَى بِذِمَّتِهِمْ أَدْنَاهُمْ، وَهُمْ يَدٌ عَلَى مَنْ سِوَاهُمْ، وَلاَ يُقْتَلُ مُؤْمِنٌ بِكَافِرٍ، وَلاَ ذُو عَهْدٍ فِي عَهْدِهِ». وَصَحَّحَهُ الْحَاكِمُ.

1205. The previous tradition was also transmitted by Ahmad, An-Nasâ'î and Abû Dawûd on the authority of 'Alî with a different chain of narrators where he said, 'The blood of one Muslim (his life) is equivalent to the blood of another Muslim (i.e. equal in *Qisâs* and blood money), the protection of Allâh is one (and is equally) extended to the most humble of the believers (i.e. if a Muslim gives protection to a man or to a group of men, they should all help him even is he was the most humble of them). Believers are all like one hand against their enemies. No believer is to be killed for a disbeliever (i.e. in *Qisâs*), nor should one who has a covenant with the Muslims be killed while his covenant holds.' Al-Hâkim graded it as *Sahîh*.

١٢٠٦ ـــ وَعَنْ أَنَسِ بْنِ مَالِكٍ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - : «أَنَّ جَارِيَةً وُجِدَ رَأْسُهَا قَـدْ رُضَّ بَيْنَ حَجَرَيْنِ ، فَسَأَلُوهَا : مَنْ صَنَعَ بِكِ هَذَا ؟ فُلانٌ ، فُلاَنٌ ، حَتَّى ذَكَرُوا يَهُودِيًّا ، فَأَوْمَأَتْ بِرَأْسِهَا ، فَأُخِذَ الْيَهُودِيُّ ، فَأَقَرَّ ، فَأَمَرَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنْ يُرَضَّ رَأْسُهُ بَيْنَ حَجَرَيْنِ». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِمُسْلِمٍ .

1206. Anas bin Mâlik (RAA) narrated that a girl was found with her head crushed between two stones. They asked her, 'Who did that to you? Is it so and so, or so and so? They mentioned some names to her until they mentioned the name of a Jew, whereupon she nodded her head. The Jew was captured and he confessed. The Messenger of Allâh ﷺ ordered that his head be crushed between two stones.' Agreed upon and the wording is from Muslim.

١٢٠٧ ـــ وَعَـنْ عِمْرَانَ بْنِ حُصَيْنٍ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ غُلاَمًا لأُنَاسٍ فُقَرَاءَ قَطَـعَ أُذُنَ غُـلاَمٍ لأُنَاسٍ أَغْنِيَاءَ ، فَأَتَوُا النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، فَلَمْ يَجْعَلْ لَهُمْ شَيْئًا». رَوَاهُ أَحْمَدُ ، وَالثَّلاَثَةُ بِإِسْنَادٍ صَحِيحٍ .

1207. 'Imrân bin Al-Husain (RAA) narrated that a slave of some poor people cut off the ear of another slave belonging to some rich people. They came to the Messenger of Allâh ﷺ but he appointed no compensation for them.[334]' Related by Ahmad and the three Imâms with a sound chain of narrators.

١٢٠٨ ـــ وَعَـنْ عَمْرِو بْنِ شُعَيْبٍ عَنْ أَبِيهِ عَنْ جَدِّهِ - رَضِيَ اللَّهُ عَنْهُمَا - : أَنَّ رَجُـلاً طَعَنَ رَجُلاً بِقَرْنٍ فِي رُكْبَتِهِ ، فَجَاءَ إِلَى النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ : أَقِدْنِي . فَقَالَ : «حَتَّى تَبْرَأَ» ، ثُمَّ جَاءَ إِلَيْهِ ، فَقَالَ : أَقِدْنِي . فَأَقَادَهُ ، ثُمَّ جَاءَ إِلَيْهِ ، فَقَالَ : يَا رَسُولَ اللَّهِ ، عَرَجْتُ . فَقَالَ : «قَدْ نَهَيْتُكَ فَعَصَيْتَنِي ، فَأَبْعَدَكَ اللَّهُ ، وَبَطَلَ

334- Scholars have different opinions as to the reason for giving no compensation. Some say that it happened by accident, some say that maybe it was because his masters were poor so the Messenger of Allâh ﷺ gave him the compensation himself, some say that the boy was still immature and Allâh knows best.

عَـــرَجِكَ» . ثُمَّ نَهَى رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنْ يُقْتَصَّ مِنْ جُرْحٍ حَتَّى يَبْرَأَ صَاحِبُهُ . رَوَاهُ أَحْمَدُ ، وَالدَّارَقُطْنِيُّ ، وَأُعِلَّ بِالإِرْسَالِ .

1208. 'Amro bin Shu'aib narrated on the authority of his father, on the authority of his grandfather (RAA), that a man stabbed another man in his knee with a horn. So he came to the Messenger of Allâh ﷺ and said, 'Retaliate on my behalf.' The Messenger of Allâh ﷺ said to him, **"Wait until your wound has healed."** The man came again and said, 'O Messenger of Allâh! Retaliate on my behalf.' So, he allowed him to retaliate against the one who attacked him (by stabbing him the same way). Then he came again to the Messenger of Allâh ﷺ and said, 'O Messenger of Allâh!I have become lame.' The Messenger of Allâh ﷺ said to him, **"I forbade you** (to take retaliation until your wound was healed) **but you disobeyed me, may Allâh keep you away from His mercy** (for your disobedience), **and as for your lameness you are not entitled to any compensation** (as he retaliated before he discovered the lameness otherwise he would have been entitled half the *Diyah*)." Then Allâh's Messenger prohibited the following, 'No retaliation is to be made for a wound before the victim is totally recovered.' Related by Ahmad and Ad-Dâraqutnî.

١٢٠٩ ـــ وَعَـــنْ أَبِي هُرَيْرَةَ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : اقْتَتَلَتِ امْرَأَتَانِ مِنْ هُذَيْلٍ ، فَرَمَـــتْ إِحْدَاهُمَا الأُخْرَى بِحَجَرٍ ، فَقَتَلَتْهَا وَمَا فِي بَطْنِهَا ، فَاخْتَصَمُوا إِلَى رَسُولِ اللَّـــهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، فَقَضَى رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنَّ دِيَةَ جَنِينِهَا غُـــرَّةٌ عَبْدٌ أَوْ وَلِيدَةٌ ، وَقَضَى بِدِيَةِ الْمَرْأَةِ عَلَى عَاقِلَتِهَا ، وَوَرَّثَهَا وَلَدَهَا وَمَنْ مَعَهُمْ ، فَقَالَ حَمَلُ بْنُ النَّابِغَةِ الْهُذَلِيُّ : يَا رَسُولَ اللهِ ، كَيْفَ يُغْرَمُ مَنْ لاَ شَرِبَ وَلاَ أَكَلَ ، وَلاَ نَطَـــقَ وَلاَ اسْتَهَلَّ ، فَمِثْلُ ذَلِكَ يُطَلُّ . فَقَالَ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِنَّمَا هَذَا مِنْ إِخْوَانِ الْكُهَّانِ». مِنْ أَجْلِ سَجْعِهِ الَّذِي سَجَعَ . مُتَّفَقٌ عَلَيْهِ .

1209. Abû Hurairah (RAA) narrated, 'Two woman of the tribe of *Hudhail* fought with each other and one of them threw a stone at the other. In this way she killed the woman and what was in her womb (as she was pregnant). Their dispute was presented to

the Prophet ﷺ who ordained that the *Diyah* (blood money) of the unborn child, is a male or a female slave of the best quality. He also decided that the *Diyah* of the woman is to be paid by her relatives (the one who killed) on her father's side.[335] The Messenger of Allâh ﷺ also ordained that her inheritance (of the woman who killed as she died later) be for her sons and husband (and not for her relatives who had to pay the *Diyah*). Hamal bin An-Nâbighah Al-Hudhailî then said, 'O Messenger of Allâh! Why should I pay the *Diyah* for one who neither drank nor ate nor spoke, nor cried (i.e. the dead fetus), such a creature is not entitled to blood money.' The Messenger of Allâh ﷺ then said, **"This man is one of the brothers of the soothsayers,"** on account of the rhymed speech which he used, concerning the dead fetus.

١٢١٠ ـــ وَأَخْرَجَهُ أَبُو دَاوُدَ ، وَالنَّسَائِيُّ مِنْ حَدِيثِ ابْنِ عَبَّاسٍ : أَنَّ عُمَرَ – رَضِيَ اللَّهُ عَنْهُ – سَأَلَ : مَنْ شَهِدَ قَضَاءَ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فِي الْجَنِينِ ؟ قَالَ : فَقَامَ حَمَلُ بْنُ النَّابِغَةِ ، فَقَالَ : كُنْتُ بَيْنَ يَدَي امْرَأَتَيْنِ ، فَضَرَبَتْ إِحْدَاهُمَا الأُخْرَى – فَذَكَرَهُ مُخْتَصَرًا ، وَصَحَّحَهُ ابْنُ حِبَّانَ ، وَالْحَاكِمُ .

1210. Abû Dawûd and An-Nasâ'î narrated on the authority of Ibn 'Abbâs that 'Umar (RAA) asked about the judgment of the Prophet ﷺ concerning the *Diyah* of the dead fetus. Hamal bin An-Nâbighah Al-Hudhailî then got up and said, "I was between the two women. One of them struck the other with a stone, killing her and what was in her womb. So the Messenger of Allâh ﷺ ordained ...." (as above). Ibn Hibbân and al-Hâkim graded it as *Sahîh*.

١٢١١ ـــ وَعَنْ أَنَسٍ – رَضِيَ اللَّهُ عَنْهُ – : أَنَّ الرُّبَيِّعَ بِنْتَ النَّضْرِ – عَمَّتَهُ – كَسَرَتْ ثَنِيَّةَ جَارِيَةٍ ، فَطَلَبُوا إِلَيْهَا الْعَفْوَ ، فَأَبَوْا ، فَعَرَضُوا الأَرْشَ فَأَبَوْا ، فَأَتَوْا رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، فَأَبَوْا إِلاَّ الْقِصَاصَ ، فَأَمَرَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بِالْقِصَاصِ ، فَقَالَ أَنَسُ بْنُ النَّضْرِ : يَا رَسُولَ اللَّهِ ، أَتُكْسَرُ ثَنِيَّةُ الرُّبَيِّعِ ؟ لاَ ،

335- There was no *Qisâs* in this case, as the woman did not intend to kill her. She only used a small stone or the like.

وَالَّـــذِي بَعَثَكَ بِالْحَقِّ ، لاَ تُكْسَرُ ثَنِيَّتُهَا . فَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «يَا أَنَسُ ، كِتَابُ اللَّهِ الْقِصَاصُ». فَرَضِيَ الْقَوْمُ فَعَفَوْا .
فَقَـــالَ رَسُـــولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِنَّ مِنْ عِبَادِ اللَّهِ مَنْ لَوْ أَقْسَمَ عَلَى اللَّهِ لأَبَرَّهُ». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِلْبُخَارِيِّ .

1211. Anas narrated that Ar-Rubai´ bint An-Nadr (his aunt) broke the incisor teeth of a girl. The family of Ar-Rubai´ asked the family of the girl to pardon her, but they refused. They then offered them *Arsh*[336], (as compensation) but they also refused. They came to the Messenger of Allâh ﷺ asking for *Qisâs*, and he gave orders that they should take their *Qisâs* from Ar-Rubai´. Anas bin An-Nadr then came to the Messenger of Allâh ﷺ and said, 'O Messenger of Allâh! Will the incisor tooth of Ar-Rubai´ be broken? No, by Him Who sent you with the truth, her incisor tooth will not be broken. The Messenger of Allâh ﷺ then said to him, **"Anas! Allâh's decree is equal retaliation."** But the family of the girl agreed to pardon Ar-Rubai´. The Messenger of Allâh ﷺ then said, **"Among Allâh's servants are those who if they swear by Allâh**(for something), **Allâh will consent to their oath."** Agreed upon, and the wording is from Al-Bukhârî.

١٢١٢ ـــ وَعَـــنِ ابْنِ عَبَّاسٍ – رَضِيَ اللَّهُ عَنْهُمَا – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ قُتِلَ فِي عِمِّيًّا ، أَوْ رِمِّيًّا بِحَجَرٍ ، أَوْ سَوْطٍ ، أَوْ عَصًا، فَعَقْلُهُ عَقْلُ الْخَطَإِ ، وَمَنْ قُتِلَ عَمْدًا فَهُوَ قَوَدٌ ، وَمَنْ حَالَ دُونَهُ فَعَلَيْهِ لَعْنَةُ اللَّهِ». أَخْرَجَهُ أبو دَاوُدَ وَالنَّسَائِيُّ ، وَابْنُ مَاجَهْ بِإِسْنَادٍ قَوِيٍّ .

1212. Ibn ´Abbâs (RAA) narrated that the Messenger of Allâh ﷺ said, **"If anyone is killed and his killer is not known**[337], **or**

336- Term used for blood money owed for injuries.

337- Such as the one killed in a fight between two families or two tribes and it is not definitely known who killed him or how he was killed. In this case the other family must take an oath that they did not kill the victim, and if it is known who killed him (which group of people or which family) they would share his *Diyah* (for a death caused by mistake) Other-

**was killed with a stone, a whip or with a stick (i.e. killed by mistake but with a deliberate injury) his *Diyah* will be that of killing by mistake (manslaughter). As for whoever killed deliberately, retaliation is due** (from the one who killed him). **Anyone who tries to prevent taking *Qisâs* (from the killer) may Allâh curse him."** Related by Abû Dawûd, An-Nasâ'î and Ibn Mâjah with a strong chain of narrators.

١٢١٣ ـ وَعَنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «إِذَا أَمْسَكَ الرَّجُلُ الرَّجُلَ وَقَتَلَهُ الآخَرُ يُقْتَلُ الَّذِي قَتَلَ ، وَيُحْبَسُ الَّذِي أَمْسَكَ». رَوَاهُ الدَّارَقُطْنِيُّ مَوْصُولاً ، وَصَحَّحَهُ ابْنُ الْقَطَّانِ ، وَرِجَالُهُ ثِقَاتٌ ، إِلاَّ أَنَّ الْبَيْهَقِيَّ رَجَّحَ الْمُرْسَلَ .

1213. Ibn 'Umar (RAA) narrated that the Messenger of Allâh ﷺ said,**"If a man holds another man so that a third man can kill the seized one, then the one who killed is to be killed (in *Qisâs*) and the one who seized the killed one is to be imprisoned."** Related by Ad-Dâraqutnî. Ibn al-Qattân graded it as *Sahîh* and its narrators are trustworthy.

١٢١٤ ـ وَعَنْ عَبْدِالرَّحْمَنِ بْنِ الْبَيْلَمَانِيِّ : أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَتَلَ مُسْلِمًا بِمُعَاهَدٍ ، وَقَالَ : «أَنَا أَوْلَى مَنْ وَفَى بِذِمَّتِهِ». أَخْرَجَهُ عَبْدُالرَّزَّاقِ هَكَذَا مُرْسَلاً ، وَوَصَلَهُ الدَّارَقُطْنِيُّ بِذِكْرِ ابْنِ عُمَرَ فِيهِ ، وَإِسْنَادُ الْمَوْصُولِ وَاهٍ .

1214. 'Abdur Rahmân bin Al-Bailamânî narrated that the Messenger of Allâh ﷺ killed a Muslim who killed a *Mu'âhid*[338] who had made a covenant with the Muslims, and said, **"I am closest to the ones who keep their covenants of protection."** Related by 'Abdur Razzâq.

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wise, if it is difficult to identify the group of people who killed him, his *Diyah* is to be paid from the Muslim Treasury.

338- A *Mu'âhid* is a non Muslim who is residing in an Islâmic State with whom there is a covenant of peace and protection. The killing of such a person is murder.

١٢١٥ ــ وَعَــنِ ابْــنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : «قُتِلَ غُلَامٌ غِيلَةً ، فَقَالَ عُمَرُ : لَوْ اشْتَرَكَ فِيهِ أَهْلُ صَنْعَاءَ لَقَتَلْتُهُمْ بِهِ». أَخْرَجَهُ الْبُخَارِيُّ .

1215. Ibn ´Umar (RAA) narrated, 'A young boy was murdered deceitfully. ´Umar (RAA) thereupon said,'If all the people of *San´â'* (in Yemen) participated in killing him, I would kill them all.'[339] Related by al-Bukhârî.

١٢١٦ ــ وَعَــنْ أَبِــي شُرَيْحٍ الْخُزَاعِيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَــلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «فَمَنْ قُتِلَ لَهُ قَتِيلٌ بَعْدَ مَقَالَتِي هَذِهِ فَأَهْلُهُ بَيْنَ خِيرَتَيْنِ : إِمَّا أَنْ يَأْخُذُوا الْعَقْلَ أَوْ يَقْتُلُوا». أَخْرَجَهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ .

1216. Abû Shuraih Al-Khazâ´î (RAA) narrated that the Messenger of Allâh ﷺ said, **"If the relative of one of you is killed after my speech, his family has one of two choices: 'Either they take his *Diyah* or kill the killer."** Related by Abû Dawûd and An-Nasâ'î.

١٢١٧ ــ وَأَصْلُهُ فِي الصَّحِيحَيْنِ مِنْ حَدِيثِ أَبِي هُرَيْرَةَ بِمَعْنَاهُ .

1217. A similar narration is transmitted by Al-Bukhârî and Muslim on the authority of Abû Hurairah.

## بَــابُ الــدِّيَــات

## *Chapter II: Types of Diyah (Blood money)*

١٢١٨ ــ عَنْ أَبِي بَكْرِ بْنِ مُحَمَّدِ بْنِ عَمْرِو بْنِ حَزْمٍ ، عَنْ أَبِيهِ عَنْ جَدِّهِ - رَضِيَ اللَّــهُ عَــنْهُمْ - : أَنَّ النَّــبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَتَبَ إِلَى أَهْلِ الْيَمَنِ - فَذَكَرَ الْحَدِيــثَ - ، وَفِــيهِ : «أَنَّ مَنِ اعْتَبَطَ مُؤْمِنًا قَتْلاً عَنْ بَيِّنَةٍ فَإِنَّهُ قَوَدٌ ، إِلاَّ أَنْ يَرْضَى

339- The incident happened when a man traveled and left his wife with their child. The woman and her lover killed the child for fear that he may tell the husband about it when he returned. Those involved were the woman, her lover, her servant and another man. When Umar knew about it from Yalâ bin Umaiyyah, his ruler in Yemen, he issued a decree that all of them must be killed as they killed him collectively.

أَوْلِيَاءُ الْمَقْتُولِ ، وَإِنَّ فِي النَّفْسِ الدِّيَةَ مَائَةً مِنَ الإِبِلِ ، وَفِي الأَنْفِ إِذَا أُوعِبَ جَدْعُهُ الدِّيَـــةُ ، وَفِي الْعَيْنَيْنِ الدِّيَةُ ، وَفِي اللِّسَانِ الدِّيَةُ ، وَفِي الشَّفَتَيْنِ الدِّيَةُ ، وَفِي الذَّكَرِ الدِّيَةُ ، وَفِي الْبَيْضَتَيْنِ الدِّيَةُ ، وَفِي الصُّلْبِ الدِّيَةُ ، وَفِي الرِّجْلِ الْوَاحِدَةِ نِصْفُ الدِّيَةِ ، وَفِي الْمَأْمُومَةِ ثُلُثُ الدِّيَةِ ، وَفِي الْجَائِفَةِ ثُلُثُ الدِّيَةِ ، وَفِي الْمُنَقِّلَةِ خَمْسَ عَشْرَةَ مِنَ الإِبِـــلِ ، وَفِي كُلِّ إِصْبَعٍ مِنْ أَصَابِعِ الْيَدِ وَالرِّجْلِ عَشْرٌ مِنَ الإِبِلِ ، وَفِي السِّنِّ خَمْسٌ مِـــنَ الإِبِلِ وَفِي الْمُوضِحَةِ خَمْسٌ مِنَ الإِبِلِ ، وَإِنَّ الرَّجُلَ يُقْتَلُ بِالْمَرْأَةِ ، وَعَلَى أَهْلِ الذَّهَـــبِ أَلْفُ دِينَارٍ». أَخْرَجَهُ أَبُو دَاوُدَ فِي الْمَرَاسِيلِ ، وَالنَّسَائِيُّ ، وَابْنُ خُزَيْمَةَ ، وَابْنُ الْجَارُودِ ، وَابْنُ حِبَّانَ ، وَأَحْمَدَ وَاخْتَلَفُوا فِي صِحَّتِهِ .

1218. Abû Bakr bin Muhammad bin 'Amro bin Hazm narrated on the authority of his father on the authority of his grandfather (RAA) that 'The Messenger of Allâh ﷺ wrote to the people of Yemen (mentioning the hadîth which included), 'Whoever kills a believer deliberately for no reason or a crime that he committed, he should be killed (in retaliation), unless the family of the murdered person agrees to take *Diyah* (blood money). The *Diyah* for a life is a hundred camels. Full blood money (i.e. total *Diyah* of 100 camels) is paid for the total cut off of each of the following: the nose, the eyes, the tongue, the lips, the penis, the testicles and the backbone.[340] For the cutting off of one leg; half a *Diyah* is paid (i.e. 50 camels). For a head injury a third of the *Diyah* is paid, for a stab which penetrates the body, one third of the *Diyah*, for a blow which breaks a bones or dislocates it, 15 camels. For each finger or toe, 10 camels are paid. For each tooth five camels are paid. For a wound which exposes a bone five camels are paid. A man is killed in *Qisâs* for killing a woman. For those who possess gold, they should pay the equivalent of the 100 camels which is fixed as one thousand Dînârs.' Related by Abû Dawûd in his book *"al-Marâsîl"*, an-Nasâ'î, Ibn Khuzaimah, Ibn al-Gârûd, Ibn Hibbân and Ahmad, but they disagreed regarding its authenticity.

340- A full *Diyah* is due in this case, as each of these organs are either impaired (i.e. cannot be compensated), or the full pair is cut off (such as the ears, the lips etc..)

١٢١٩ ــ وَعَــنِ ابْــنِ مَسْعُودٍ عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «دِيَةُ الْخَطَإِ أَخْمَاسًــا ، عِشْرُونَ حِقَّةً ، وَعِشْرُونَ جَذَعَةً ، وَعِشْرُونَ بَنَاتِ مَخَاضٍ ، وَعِشْرُونَ بَــنَاتِ لَبُونٍ ، وَعِشْرُونَ بَنِي لَبُونٍ». أَخْرَجَهُ الدَّارَقُطْنِيُّ ، وَأَخْرَجَهُ الأَرْبَعَةُ بِلَفْظِ : «وَعِشْرُونَ بَنِي مَخَاضٍ» بَدَلَ «لَبُونٍ» وَإِسْنَادُ الأَوَّلِ أَقْوَى ، وَأَخْرَجَهُ ابْنُ أَبِي شَيْبَةَ مِنْ وَجْهٍ آخَرَ مَوْقُوفًا ، وَهُوَ أَصَحُّ مِنَ الْمَرْفُوعِ .

1219. Ibn Mas´ûd (RAA) narrated that the Messenger of Allâh ﷺ said, **"The *Diyah* for accidental killing is paid in five types of camel indemnity[341]: 20 she-camels *'hiqqah'*** (in their fourth year), **20 she-camels *'Jaz´ah'*** (in their fifth year), **20 she-camels *'bint makhâd'*** (in their second year), **20 she-camels *'bint labûn'*** (in their third year) **and 20 he-camels *'ibn labûn'*** (in their third year)."Related by Ad-Dâraqutnî with a strong chain of narrators. The four Imâms reported it with this version, **"twenty *'ibn makhâd'*** (twenty male camels which had entered their second year)," instead of ***"ibn labûn."***

١٢٢٠ ــ وَأَخْــرَجَهُ أَبُــو دَاوُدَ وَالــتِّرْمِذِيُّ مِنْ طَرِيقِ عَمْرِو بْنِ شُعَيْبٍ عَنْ أَبِيهِ عَــنْ جَــدِّهِ - رَضِيَ اللَّهُ عَنْهُمَا - رَفَعَهُ : «الدِّيَةُ ثَلاثُونَ حِقَّةً ، وَثَلاثُونَ جَذَعَةً ، وَأَرْبَعُونَ خَلِفَةً ، فِي بُطُونِهَا أَوْلادُهَا».

1220. Abû Dawûd and At-Tirmidhî transmitted on the authority of ´Amro bin Shu´aib on his father's authority, who reported from his grandfather (RAA), who reported that the Messenger of Allâh ﷺ said, **"The *Diyah*** (of intentional homicide) **is paid in three different types of camels[342]: 30 she-camels *'hiqqah'*** (in their fourth year), **30 she-camels *'Jaz´ah'*** (in their fifth year), **and 40 pregnant she-camels."**

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341- This *Diyah* is less severe in that its payment is deferred, and paid in five different types of camels. Some scholars say that it could be paid over a period of three years.

342- This *Diyah* is severe in that it is to be paid immediately and paid in three different good types of camels.

١٢٢١ ــ وَعَــنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - : عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «إِنَّ أَعْتَى النَّاسِ عَلَى اللَّهِ ثَلاَثَةٌ : مَنْ قَتَلَ فِي حَرَمِ اللَّهِ ، أَوْ قَتَلَ غَيْرَ قَاتِلِهِ أَوْ قَتَلَ لِذَحْلِ الْجَاهِلِيَّةِ». أَخْرَجَهُ ابْنُ حِبَّانَ فِي حَدِيثٍ صَحَّحَهُ .

1221. Ibn ʿUmar (RAA) narrated that the Messenger of Allâh ﷺ said, **"Three types of people are most hated by Allâh, the Almighty: whoever kills another in the Sacred area of *Haram (Sanctuary)*, whoever kills anyone other than the one who killed him or whoever kills anyone in revenge as in times of *Jâhiliyah* (pre-Islâmic times)."** Related by Ibn Hibbân.

١٢٢٢ ــ وَعَــنْ عَبْدِاللَّهِ بْنِ عَمْرِو بْنِ الْعَاصِ - رَضِيَ اللَّهُ عَنْهُمَا - أَنَّ رَسُولَ اللَّهِ صَــلَّى اللَّــهُ عَلَيْهِ وَسَلَّمَ قَالَ : «أَلاَ إِنَّ دِيَةَ الْخَطَإِ وَشِبْهِ الْعَمْدِ - مَا كَانَ بِالسَّوْطِ وَالْعَصَــا - مِائَةٌ مِنَ الإِبِلِ ، مِنْهَا أَرْبَعُونَ فِي بُطُونِهَا أَوْلاَدُهَا». أَخْرَجَهُ أَبُو دَاوُدَ ، وَالنَّسَائِيُّ ، وَابْنُ مَاجَهْ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

1222. ʿAbdullâh Ibn ʿAmro ibn al-ʿÂs (RAA) narrated that the Messenger of Allâh ﷺ said, **"The *Diyah* for accidental and quasi-deliberate homicide -such as that inflicted with a whip or a stick- is a hundred camels, forty of which are pregnant she-camels."** Related by Abû- Dawûd, An-Nasâ'î and Ibn Mâjah. Ibn Hibbân graded it as *Sahîh*.

١٢٢٣ ــ وَعَــنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «هَذِهِ وَهَذِهِ سَوَاءٌ - يَعْنِي الْخِنْصَرَ وَالإِبْهَامَ». رَوَاهُ الْبُخَارِيُّ ، وَلأَبِي دَاوُدَ وَالتِّرْمِذِيِّ : «دِيَةُ الأَصَابِعِ سَوَاءٌ ، وَالأَسْنَانُ سَوَاءٌ : الثَّنِيَّةُ وَالضِّرْسُ سَوَاءٌ».
وَلابْنِ حِبَّانَ : «دِيَةُ أَصَابِعِ الْيَدَيْنِ وَالرِّجْلَيْنِ سَوَاءٌ ، عَشَرَةٌ مِنَ الإِبِلِ لِكُلِّ إِصْبَعٍ».

1223. Ibn ʿAbbâs (RAA) narrated that the Messenger of Allâh ﷺ said, **"This and that are equal -meaning the little finger and the thumb."** Related by Al-Bukhârî. Abû Dawûd and At-Tirmidhî transmitted, **"The *Diyah* for the fingers and toes is the same, and that for the teeth is the same; the incisor and the molar tooth are the same."** Ibn Hibbân narrated, **"The *Diyah* for the fingers and toes is the same; 10 camels for each."**

١٢٢٤ ـــ وَعَـــنْ عَمْـــرِو بْنِ شُعَيْب عَنْ أَبِيه عَنْ جَدِّه - رَضِيَ اللَّهُ عَنْهُمْ - رَفَعَهُ قَـــالَ : «مَـــنْ تَطَبَّبَ ، وَلَمْ يَكُنْ بِالطِّبِّ مَعْرُوفًا - فَأَصَابَ نَفْسًا فَمَا دُونَهَا ، فَهُوَ ضَـــامِنٌ». أَخْـــرَجَهُ الدَّارَقُطْـــنِيُّ وَصَحَّحَهُ الْحَاكِمُ ، وَهُوَ عِنْدَ أَبِي دَاوُدَ وَالنَّسَائِيِّ وَغَيْرِهِمَا ، إِلاَّ أَنَّ مَنْ أَرْسَلَهُ أَقْوَى مِمَّنْ وَصَلَهُ .

1224. ´Amro bin Shu´aib narrated on the authority of his father, on the authority of his grandfather (RAA) that the Messenger of Allâh ﷺ said, **"Anyone who practices medicine but is not known as a practitioner, and kills a human being or inflicts harm on him, will be held responsible."** Related by Ad-Dâraqutnî. Al-Hâkim graded it as Sahîh. Abû Dawûd, an-Nasâ'î and others also narrated it, but its *Mursal* form is stronger than the connected one.

١٢٢٥ ـــ وَعَـــنْهُ : أَنَّ النَّـــبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «فِي الْمَوَاضِحِ خَمْسٌ ، خَمْـــسٌ ، مِـــنَ الإِبِلِ». رَوَاهُ أَحْمَدُ ، وَالأَرْبَعَةُ ، وَزَادَ أَحْمَدُ : «وَالأَصَابِعُ سَوَاءٌ ، كُلُّهُنَّ عَشْرٌ مِنَ الإِبِلِ»، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ وَابْنُ الْجَارُودِ .

1225. ´Amro bin Shu´aib narrated on the authority of his father, on the authority of his grandfather (RAA) that the Messenger of Allâh ﷺ said, **"For a wound which exposes a bone five camels are paid (in compensation)."** Related by Ahmad and the four Imâms. Ahmad added the following statement, **"And the fingers and toes are all equal- in *Diyah*- ten camels."** Ibn Khuzaimah and Ibn al-Gârûd graded it as Sahîh.

١٢٢٦ ـــ وَعَنْهُ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «عَقْلُ أَهْلِ الذِّمَّةِ نِصْفُ عَقْلِ الْمُسْلِمِينَ». رَوَاهُ أَحْمَدُ ، وَالأَرْبَعَةُ .

وَلَفْظُ أَبِي دَاوُدَ : «دِيَةُ الْمُعَاهِدِ نِصْفُ دِيَةِ الْحُرِّ».

وَلِلنَّسَـــائِيِّ : «عَقْلُ الْمَرْأَةِ مِثْلُ عَقْلِ الرَّجُلِ حَتَّى يَبْلُغَ الثُّلُثَ مِنْ دِيَتِهَا». وَصَحَّحَهُ ابْنُ خُزَيْمَةَ .

1226. ´Amro bin Shu´aib narrated on the authority of his father, on the authority of his grandfather (RAA) that the Messenger

of Allâh ﷺ said, **"The *Diyah* of the *Dhimmî*[343] is half that of a Muslim."** Related by Ahmad and the four Imâms. The narration of Abû Dawûd, **"The *Diyah* of the *Mu´âhid*** (non Muslim with a covenant of protection) **is half the *Diyah* of a free Muslim."** In the narration of An-Nasâ'î,**"The *Diyah* of a woman is the same as the *Diyah* of a man up to the third of the value** (if the due value exceeds the third then her *Diyah* is half that of the man)." Ibn Khuzaimah graded it as <u>*Sahîh*</u>.

١٢٢٧ ـــ وَعَنْهُ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «عَقْلُ شِبْهِ الْعَمْدِ مُغَلَّظٌ مِثْلُ عَقْلِ الْعَمْدِ ، وَلاَ يُقْتَلُ صَاحِبُهُ ، وَذَلِكَ أَنْ يَنْزُوَ الشَّيْطَانُ فَتَكُونَ دِمَاءٌ بَيْنَ النَّاسِ فِي غَيْرِ ضَغِينَةٍ وَلاَ حَمْلِ سِلاَحٍ». أَخْرَجَهُ الدَّارَقُطْنِيُّ ، وَضَعَّفَهُ .

1227. ´Amro bin Shu´aib narrated on the authority of his father, on the authority of his grandfather (RAA) that the Messenger of Allâh ﷺ said, **"The *Diyah* of the quasi-deliberate homicide is as severe as deliberate murder** (in its being given in three types of camels), **and the offender is not to be killed. This happens when the devil excites enmity between people causing them to shed blood but not due to hatred or carrying weapons in fighting."** Related by Ad-Dâraqutnî and graded it as weak <u>*Hadîth*</u>.

١٢٢٨ ـــ وَعَنِ ابْنِ عَبَّاسٍ – رَضِيَ اللَّهُ عَنْهُمَا – قَالَ : «قَتَلَ رَجُلٌ رَجُلاً عَلَى عَهْدِ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، فَجَعَلَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ دِيَتَهُ اثْنَيْ عَشَرَ أَلْفًا». رَوَاهُ الأَرْبَعَةُ ، وَرَجَّحَ النَّسَائِيُّ ، وَأَبُو حَاتِمٍ إِرْسَالَهُ .

1228. Ibn ´Abbâs (RAA) narrated that, 'A man killed another man during the lifetime of the Prophet ﷺ, so the decided that his *Diyah* would be 12 thousand (*Dirhams*).' Related by the four Imâms.

343- A non-Muslim; Christian or Jew, living under the protection of an Islâmic government

١٢٢٩ ـــ وَعَــنْ أَبِــي رِمْثَةَ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : أَتَيْتُ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَمَعِي ابْنِي ، فَقَالَ : «مَنْ هَذَا ؟» فَقُلْتُ : ابْنِي وَأَشْهَدُ بِهِ . فَقَالَ : «أَمَّا إِنَّهُ لاَ يَجْنِي عَلَيْكَ وَلاَ تَجْنِي عَلَيْهِ». رَوَاهُ النَّسَائِيُّ ، وَأَبُو دَاوُدَ ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ ، وَابْنُ الْجَارُودِ .

1229. Abû Rimthah narrated, 'I came to the Prophet ﷺ with my son and he asked me, **"Who is this?"** I answered, 'This is my son, and I swear on it.'[344] The Messenger of Allâh ﷺ said,**"He will not carry your burdens[345] (sins) and you will not carry his burdens."** Related by An-Nasâ'î and Abû Dawûd. Ibn Khuzaimah and Ibn al-Gârûd graded it as Sahîh.

## بَــابُ دَعْــوَى الــدَّمِ وَالْقَسَامــةِ

## *Chapter III: Claiming the Right to Qisâs and Qasâmah (taking an oath)*

١٢٣٠ ـــ عَــنْ سَــهْلِ بْــنِ أَبِي حَثْمَةَ – رَضِيَ اللَّهُ عَنْهُ – عَنْ رِجَالٍ مِنْ كُبَرَاءِ قَوْمِــهِ : أَنَّ عَــبْدَ اللَّهِ بْنَ سَهْلٍ وَمُحَيِّصَةَ بْنَ مَسْعُودٍ ، خَرَجَا إِلَى خَيْبَرَ مِنْ جَهْدٍ أَصَــابَهُمْ ، فَأُتِيَ مُحَيِّصَةُ فَأُخْبِرَ أَنَّ عَبْدَ اللَّهِ بْنَ سَهْلٍ قَدْ قُتِلَ وَطُرِحَ فِي عَيْنٍ فَأَتَى يَهُودَ ، فَقَالَ : أَنْتُمْ وَاللَّهِ قَتَلْتُمُوهُ . قَالُوا : وَاللَّهِ مَا قَتَلْنَاهُ . فَأَقْبَلَ هُوَ وَأَخُوهُ حُوَيِّصَةُ وَعَبْدُ الرَّحْمَنِ بْنُ سَهْلٍ ، فَذَهَبَ مُحَيِّصَةُ لِيَتَكَلَّمَ ، فَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «كَبِّرْ كَبِّرْ» يُرِيدُ السِّنَّ ، فَتَكَلَّمَ حُوَيِّصَةُ ، ثُمَّ تَكَلَّمَ مُحَيِّصَةُ ، فَقَالَ رَسُولُ اللَّــهِ صَــلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِمَّا أَنْ يَدُوا صَاحِبَكُمْ ، وَإِمَّا أَنْ يَأْذَنُوا بِحَرْبٍ» ،

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344- In another narration, the Messenger of Allâh ﷺ asked him again, **'Is it true that he is your som?'** The man then said I bear witness to it. The Messenger of Allâh ﷺ smiled because of the resemblance between the father and son and for the fact that the father took an oath on this matter.

345- Any action which entails *Qisâs* or punishment.

فَكَتَـــبَ إِلَيْهِمْ فِي ذَلِكَ ، فَكَتَبُوا : إِنَّا وَاللَّهِ مَا قَتَلْنَاهُ . فَقَالَ لِحُوَيِّصَةَ ، وَمُحَيِّصَةَ ، وَعَــبْدِالرَّحْمَنِ بْــنِ سَهْلٍ : «أَتَحْلِفُونَ ، وَتَسْتَحِقُّونَ دَمَ صَاحِبِكُمْ ؟» قَالُوا : لاَ . قَـــالَ : «فَيَحْلِفُ لَكُمْ يَهُودُ ؟» قَالُوا : لَيْسُوا مُسْلِمِينَ . فَوَدَاهُ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَـــيْهِ وَسَلَّمَ مِنْ عِنْدِهِ فَبَعَثَ إِلَيْهِمْ مِائَةَ نَاقَةٍ ، قَالَ سَهْلٌ : فَلَقَدْ رَكَضَتْنِي مِنْهَا نَاقَةٌ حَمْرَاءُ . مُتَّفَقٌ عَلَيْهِ .

1230. Sahl bin Abî Khaithamah (RAA) narrated on the authority of some honored men from his people that ´Abdullâh bin Sahl and Muhaiysah bin Mas´ûd, went out to Khaibar because of a hardship they were undergoing. Muhaiysah came and told them that ´Abdullâh bin Sahl had been killed and thrown into a well. He came to the Jews and said to them, 'I swear by Allâh that you have killed him.' They replied, 'We swear by Allâh that we have not killed him.' Then Muhaiysah came along with his brother Huwaiysah and ´Abdur Rahmân bin Sahl to the Prophet ﷺ and Muhaiysah started to talk. The Messenger of Allâh ﷺ said to him, **"Let an older one speak** (take charge of this matter)." So Huwaiysah narrated what happened and then Muhaiysah spoke. The Messenger of Allâh ﷺ said,**"Either they pay the *Diyah* of your companion or be ready for war."** The Messenger of Allâh ﷺ wrote to them about this and they wrote back saying, 'By Allâh, we have not killed him.' The Messenger of Allâh ﷺ then said to Huwaiysah, Muhaiysah and ´Abdur Rahmân bin Sahl, **"Would you take an oath** (that they killed him) **and then you will be entitled to the *Diyah* of your companion."** They answered, 'No (as they did not witness the crime).' The Messenger of Allâh ﷺ then said, **"Then the Jews should take an oath** (that they are innocent)." They said, 'They are not Muslims.' The Messenger of Allâh ﷺ thereupon paid the *Diyah* of the victim himself and sent them 100 camels. Sahl commented, 'A red she-camel (of these 100 camels) kicked me.' Agreed upon.

١٢٣١ ـــ وَعَــنْ رَجُـــلٍ مِـــنَ الأَنْصَـــارِ : «أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَقَرَّ الْقَسَامَةَ عَلَى مَا كَانَتْ عَلَيْهِ فِي الْجَاهِلِيَّةِ ، وَقَضَى بِهَا رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ

وَسَلَّمَ بَيْنَ نَاسٍ مِنَ الأَنْصَارِ فِي قَتِيلٍ ادَّعَوْهُ عَلَى الْيَهُودِ». رَوَاهُ مُسْلِمٌ .

1231. A man from the Ansâr narrated that the Messenger of Allâh ﷺ consented to the *Qasâmah* (taking an oath that they did not kill the victim), which was practiced during the time of *Jâhiliyah* (pre-Islâm) and the Messenger of Allâh ﷺ made a judgment between some men from the Ansâr concerning a man who was killed and they claimed that the Jews had killed him.' Related by Muslim.

## بَابُ قِتَالِ أَهْلِ الْبَغْيِ

## *Chapter IV: Fighting Transgressors (who rebel against the ruler unjustly)*

١٢٣٢ ــ عَنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ حَمَلَ عَلَيْنَا السِّلاَحَ فَلَيْسَ مِنَّا». مُتَّفَقٌ عَلَيْهِ .

1232. Ibn 'Umar (RAA) narrated that the Messenger of Allâh ﷺ said, **"Whoever carries arms against us, is not one of us."** Agreed upon.

١٢٣٣ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «مَنْ خَرَجَ عَنِ الطَّاعَةِ ، وَفَارَقَ الْجَمَاعَةَ ، وَمَاتَ ، فَمِيتَتُهُ مِيتَةٌ جَاهِلِيَّةٌ». أَخْرَجَهُ مُسْلِمٌ .

1233. Abû Hurairah (RAA) narrated, **"He who rebels against obedience to the ruler, abandons the Muslim community and then dies, his death will be as if he died at the time of *Jâhiliyah*."** Related by Muslim.

١٢٣٤ ــ وَعَنْ أُمِّ سَلَمَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : تَقْتُلُ عَمَّاراً الْفِئَةُ الْبَاغِيَةُ». رَوَاهُ مُسْلِمٌ .

1234. Umm Salamah (RAA) narrated that the Messenger of Allâh ﷺ said, **"The transgressing party will kill 'Ammâr** ('Ammâr bin Yâsir)." Related by Muslim.

١٢٣٥ ـــ وَعَـــنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَـــيْهِ وَسَـــلَّمَ : «هَـــلْ تَدْرِي يَا ابْنَ أُمِّ عَبْدٍ ، كَيْفَ حُكْمُ اللَّهِ فِيمَنْ بَغَى مِنْ هَذِهِ الأُمَّـــةِ ؟» قَـــالَ : اللَّـــهُ وَرَسُولُهُ أَعْلَمُ . قَالَ : «لاَ يُجْهَزُ عَلَى جَرِيحِهَا ، وَلاَ يُقْتَلُ أَسِيرُهَا ، وَلاَ يُطْلَبُ هَارِبُهَا ، وَلاَ يُقْسَمُ فَيْؤُهَا». رَوَاهُ الْبَزَّارُ ، وَالْحَاكِمُ ، وَصَحَّحَهُ فَوَهِمَ ، لأَنَّ فِي إِسْنَادِهِ كَوْثَرَ بْنِ حَكِيمٍ ، وَهُوَ مَتْرُوكٌ .

1235. Ibn ´Umar (RAA) narrated that the Messenger of Allâh ﷺ said **"Do you realize Ibn Umm ´Abd[346] what the ruling of Allâh is concerning those who rebel against the ruler in this Ummah?'** I said, 'Allâh and His Messenger know best.' He said, **"A wounded man among them is not to be given the last stroke (that kills him), their captive is not killed, the one who runs away is not followed and their booties are not divided** (among other Muslims)." Related by Al-Bazzâr and al-Hâkim. The latter graded it as *Sahîh* but he was mistaken as Kawthar bin Hakîm (one of the narrators) is a rejected narrator.

١٢٣٦ ـــ وَعَـــنْ عَرْفَجَةَ بْنِ شُرَيْحٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : سَمِعْتُ رَسُولَ اللَّهِ صَـــلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ : «مَنْ أَتَاكُمْ وَأَمْرُكُمْ جَمِيعٌ يُرِيدُ أَنْ يُفَرِّقَ جَمَاعَتَكُمْ فَاقْتُلُوهُ». أَخْرَجَهُ مُسْلِمٌ .

1236. ´Arfagah bin Shuraih (RAA) narrated, 'I heard the Messenger of Allâh ﷺ say, **"He who comes to you when you are united and wants to disunite your community, kill him."** Related by Muslim.

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346- The one who is known as 'Ibn Umm ´Abd' is ´Abdullâh bin Mas´ûd, and may be Ibn ´Umar is narrating the hadîth on his authority.

## بَـــابُ قِتَـــالِ الْجَانِـــي، وَقَتْـــلِ الْمُرْتَـــدِّ

## *Chapter V: Fighting The Offender and Killing the Apostate*

١٢٣٧ ـــ عَـــنْ عَبْدِاللَّهِ بْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّـــهُ عَلَـــيْهِ وَسَلَّمَ : «مَنْ قُتِلَ دُونَ مَالِهِ فَهُوَ شَهِيدٌ». رَوَاهُ أَبُو دَاوُدَ ، وَالنَّسَائِيُّ ، وَالتِّرْمِذِيُّ وَصَحَّحَهُ .

1237. 'Abdullâh bin 'Umar narrated that the Messenger of Allâh ﷺ said, **"He who is killed while defending his property is considered a martyr."** Related by Abû Dawûd An-Nasâ'î and At-Tirmidhî who graded it as Sahîh..

١٢٣٨ ـــ وَعَـــنْ عِمْرَانَ بْنِ حُصَيْنٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَاتَلَ يَعْلَى بْنُ أُمَيَّةَ رَجُـــلاً ، فَعَضَّ أَحَدُهُمَا صَاحِبَهُ ، فَانْتَزَعَ يَدَهُ مِنْ فَمِهِ ، فَنَزَعَ ثَنِيَّتَهُ ، فَاخْتَصَمَا إِلَى النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ : «يَعَضُّ أَحَدُكُمْ كَمَا يَعَضُّ الْفَحْلُ ؟ لاَ دِيَةَ لَهُ». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِمُسْلِمٍ .

1238. 'Imrân bin Husain (RAA) narrated, 'Ya'lâ bin Umaiyah fought with another man. One of them bit the other man's finger and the latter (whose finger was bit) pulled his hand out of the first man's mouth (who was biting) by force, causing his incisors teeth to be pulled out. They presented their dispute to the Prophet ﷺ who said, **"One of you bit his brother as a male camel bites? Go and there is not *Diyah* for him** (as a punishment for their foolishness)." Agreed upon and the wording is from Muslim.

١٢٣٩ ـــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ أَبُو الْقَاسِمِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لَوْ أَنَّ امْرَأً اطَّلَعَ عَلَيْكَ بِغَيْرِ إِذْنٍ ، فَحَذَفْتَهُ بِحَصَاةٍ ، فَفَقَأْتَ عَيْنَهُ لَمْ يَكُنْ عَلَـــيْكَ جُـــنَاحٌ». مُتَّفَقٌ عَلَيْهِ . وَفِي لَفْظٍ لأَحْمَدَ وَالنَّسَائِيِّ ، وَصَحَّحَهُ ابْنُ حِبَّانَ : «فَلاَ دِيَةَ لَهُ وَلاَ قِصَاصَ» .

1239. Abû Hurairah (RAA) narrated that the Messenger of

Allâh ﷺ said, **"If anyone spies on you** (tries to look at you) **without your permission, and you thereupon throw a stone at him and because of it he lost his eye, you are not to be blamed."** Agreed upon. In another version by Ahmad and an-Nasâ'î and graded as *Sahîh* by Ibn Hibbân, **"He has no right for *Diyah* or *Qisâs*."**

١٢٤٠ ــ وَعَنْ الْبَرَاءِ بْنِ عَازِبٍ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : «قَضَى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنَّ حِفْظَ الْحَوَائِطِ بِالنَّهَارِ عَلَى أَهْلِهَا ، وَأَنَّ حِفْظَ الْمَاشِيَةِ بِاللَّيْلِ عَلَى أَهْلِهَا ، وَأَنَّ عَلَى أَهْلِ الْمَاشِيَةِ مَا أَصَابَتْ مَاشِيَتُهُمْ بِاللَّيْلِ». رَوَاهُ أَحْمَدُ ، وَالأَرْبَعَةُ إِلاَّ التِّرْمِذِيَّ ، وَصَحَّحَهُ ابْنُ حِبَّانَ ، وَفِي إِسْنَادِهِ اخْتِلاَفٌ .

1240. Al-Barâ' bin 'Âzib (RAA) narrated, 'The Messenger of Allâh ﷺ ordained that the guarding of a garden is the responsibility of its owners during the day and the guarding of animals is the responsibility of their owners at night. However, the owners of the animals are responsible for any damage caused by their animals during the night (i.e. pay compensation for what they damaged of other's property).' Related by Ahmad and the four Imâms except At-Tirmidhî. Ibn Hibbân graded it as *Sahîh*.

١٢٤١ ــ وَعَنْ مُعَاذِ بْنِ جَبَلٍ – رَضِيَ اللَّهُ عَنْهُ – : «فِي رَجُلٍ أَسْلَمَ ثُمَّ تَهَوَّدَ ، لاَ أَجْلِسُ حَتَّى يُقْتَلَ ، قَضَاءُ اللَّهِ وَرَسُولِهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَأَمَرَ بِهِ فَقُتِلَ». مُتَّفَقٌ عَلَيْهِ . وَفِي رِوَايَةٍ لأَبِي دَاوُدَ : وَكَانَ قَدِ اسْتُتِيبَ قَبْلَ ذَلِكَ .

1241. Mu'âdh bin Jabal (RAA) narrated – concerning a man who embraced Islâm and then turned to Judaism (i.e. apostated), 'I shall not sit down until he is killed. That is the Command of Allâh and His Messenger, and he gave an order that he must be killed and so he was.' Agreed upon.

In a version by Abû Dawûd, 'He was given a chance to repent and return to Islâm but he refused.

١٢٤٢ ــ وَعَنِ ابْنِ عَبَّاسٍ – رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ بَدَّلَ دِينَهُ فَاقْتُلُوهُ». رَوَاهُ الْبُخَارِيُّ .

1242. Ibn 'Abbâs (RAA) narrated that the Messenger of Allâh

ﷺ said, **"He who changes his religion (i.e. apostates) kill him."** Related by Al-Bukhârî.

١٢٤٣ ـــ وَعَـــنْهُ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - أَنَّ أَعْمَى كَانَتْ لَهُ أُمُّ وَلَدٍ تَشْتُمُ النَّبِيَّ صَـــلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَتَقَعُ فِيهِ ، فَيَنْهَاهَا ، فَلاَ تَنْتَهِي ، فَلَمَّا كَانَتْ ذَاتَ لَيْلَةٍ أَخَذَ الْمِعْـــوَلَ ، فَجَعَلَـــهُ فِي بَطْنِهَا وَاتَّكَأَ عَلَيْهَا فَقَتَلَهَا ، فَبَلَغَ ذَلِكَ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ : «أَلاَ اشْهَدُوا فَإِنَّ دَمَهَا هَدَرٌ». رَوَاهُ أَبُو دَاوُدَ ، وَرُوَاتُهُ ثِقَاتٌ .

1243. Ibn 'Abbâs (RAA) narrated, 'A blind man had a pregnant slave, who used to abuse the Messenger of Allâh ﷺ and defame him. The blind man forbade her but she did not stop. One night she began to slander the Prophet ﷺ so he took a n axe, placed it on her belly, pressed it and killed her. The Messenger of Allâh ﷺ was told about it, and thereupon he said,**"Oh people! Be witnesses that no *Diyah* is to be paid for her blood."**[347] Related by Abû Dawûd with a trustworthy chain of narrators.

347- Because she was slandering the Prophet ﷺ, so she is considered as a disbeliever and an apostate.

# كِتَابُ الْحُدُود

# Book X: Hudûd or Prescribed Penalties in Islâmic Sharî'ah

## بَابُ حَدِّ الزَّانِي

## *Chapter I: The Prescribed Penalty (punishment) for Fornication*

١٢٤٤ ـ عَنْ أَبِي هُرَيْرَةَ وَزَيْدِ بْنِ خَالِدٍ الْجُهَنِيِّ - رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا - أَنَّ رَجُلاً مِنَ الأَعْرَابِ أَتَى رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، فَقَالَ : يَا رَسُولَ اللَّهِ ، أَنْشُدُكَ اللَّهَ إِلاَّ قَضَيْتَ لِي بِكِتَابِ اللَّهِ - تَعَالَى - . فَقَالَ الآخَرُ - وَهُوَ أَفْقَهُ مِنْهُ - : نَعَمْ ، فَاقْضِ بَيْنَنَا بِكِتَابِ اللَّهِ ، وَأْذَنْ لِي . فَقَالَ :«قُلْ» قَالَ : إِنَّ ابْنِي كَانَ عَسِيفًا عَلَى هَذَا ، فَزَنَى بِامْرَأَتِهِ ، وَإِنِّي أُخْبِرْتُ أَنَّ عَلَى ابْنِي الرَّجْمَ ، فَافْتَدَيْتُ مِنْهُ بِمِائَةِ شَاةٍ ، وَوَلِيدَةٍ ، فَسَأَلْتُ أَهْلَ الْعِلْمِ ، فَأَخْبَرُونِي أَنَّ عَلَى ابْنِي جَلْدَ مِائَةٍ وَتَغْرِيبَ عَامٍ ، وَأَنَّ عَلَى امْرَأَةِ هَذَا الرَّجْمَ ، فَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «وَالَّذِي نَفْسِي بِيَدِهِ ، لأَقْضِيَنَّ بَيْنَكُمَا بِكِتَابِ اللَّهِ ؛ الْوَلِيدَةُ وَالْغَنَمُ رَدٌّ عَلَيْكَ ، وَعَلَى ابْنِكَ جَلْدُ مِائَةٍ وَتَغْرِيبُ عَامٍ ، وَاغْدُ يَا أُنَيْسُ إِلَى امْرَأَةِ هَذَا ، فَإِنِ اعْتَرَفَتْ فَارْجُمْهَا». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِمُسْلِمٍ .

1244. Abû Hurairah and Zaid bin Khâlid al-Juhanî (RAA) narrated that a Bedouin came to the Prophet ﷺ and said, 'O Messenger of Allâh! I beseech you by Allâh, that you judge between us according to Allâh's Laws.' The man's opponent who was wiser than him got up and said, 'Yes, judge between us according to Allâh's Law and kindly allow me (to speak).' The Prophet ﷺ said, **"Speak."** He said,'My son was a laborer working for that man (the Bedouin) and he committed illegal sexual intercourse with his wife, and I was informed that my son deserved to be stoned to death (as punishment for this offence). I ransomed him with one

hundred sheep and a slave girl. But when I asked the knowledgeable people they told me that my son should receive a hundred lashes and be exiled for a year, and the man's wife should be stoned to death. The Messenger of Allâh ﷺ replied, **"By Him in Whose Hands my soul is, I shall judge between you according to the Law of Allâh (i.e. His Book). The slave girl and the sheep are to be returned to you. As for your son, he has to receive one hundred lashes and be exiled for a year. O Unais! Go to this man's wife, and if she confesses, then stone her to death."** Agreed upon, and this is Muslim's version.

١٢٤٥ ــ وَعَــنْ عُبَادَةَ بْنِ الصَّامِتِ قَالَ : قَالَ رَسُولُ اللَّه صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «خُــذُوا عَنِّي ، خُذُوا عَنِّي فَقَدْ جَعَلَ اللَّهُ لَهُنَّ سَبِيلاً ، الْبِكْرُ بِالْبِكْرِ جَلْدُ مِائَةٍ وَنَفْيُ سَنَةٍ ، وَالثَّيِّبُ بِالثَّيِّبِ جَلْدُ مِائَةٍ وَالرَّجْمُ». رَوَاهُ مُسْلِمٌ .

1245. 'Ubâdah bin As-Sâmit (RAA) narrated that the Messenger of Allâh ﷺ said, **"Receive from me** (this revelation), **receive from me** (this revelation). **Allâh has ordained a way for those women[348]** (unmarried females who committed adultery). **When an unmarried man, commits adultery with an unmarried woman, they should receive one hundred lashes and be exiled for a year[349]. If they** (fornicate while they) **were married, they shall receive hundred lashes and be stoned to death[350]** Reported by Muslim.

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348- The Messenger of Allâh ﷺ is referring to the verse (4:15) *sûrat an-Nisâ'*, ***"...and if they testify, confine them (those women) to their houses until death, or (until) Allâh ordains for them some other way."***

349- Imâm Mâlik is of the opinion that a woman is not to be exiled as this will expose her to hardship, and she is not allowed to travel on her own anyway. She should only be flogged a hundred lashes, and the male is to be flogged and exiled. Other scholars say that if she is exiled she must be with a *mahram*. .

350- Most scholars are of the opinion that there is no need for flogging and that stoning is sufficient for the (married) adulterer and the adulteress. Their evidence is that the Prophet ﷺ did not combine flogging and stoning in the punishment of Mâiz and only stoned him to death. This is also evident in this hadîth as the Prophet ﷺ did not order Unais to flog her

١٢٤٦ ــ وَعَنْ أَبِي هُرَيْرَةَ – رَضِيَ اللَّهُ تَعَالَى عَنْهُ – قَالَ : أَتَى رَجُلٌ مِنَ الْمُسْلِمِينَ رَسُـــولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ – وَهُوَ فِي الْمَسْجِدِ – فَنَادَاهُ ، فَقَالَ : يَا رَسُولَ اللَّـــهِ ، إِنِّي زَنَيْتُ . فَأَعْرَضَ عَنْهُ فَتَنَحَّى تِلْقَاءَ وَجْهِهِ ، فَقَالَ : يَا رَسُولَ اللَّهِ ، إِنِّي زَنَيْتُ . فَأَعْرَضَ عَنْهُ ، حَتَّى ثَنَّى ذَلِكَ عَلَيْهِ أَرْبَعَ مَرَّاتٍ ، فَلَمَّا شَهِدَ عَلَى نَفْسِهِ أَرْبَعَ شَهَادَاتٍ دَعَاهُ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ : «أَبِكَ جُنُونٌ ؟» قَالَ : لاَ . قَالَ : «فَهَلْ أَحْصَنْتَ ؟» قَالَ : نَعَمْ . فَقَالَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «اذْهَبُوا بِهِ فَارْجُمُوهُ». مُتَّفَقٌ عَلَيْهِ .

1246. Abû Hurairah (RAA) narrated, 'A Muslim man[351] came to the Prophet ﷺ while he was in the mosque, and called him saying, 'O Messenger of Allâh! I have committed adultery.' The Messenger of Allâh ﷺ turned his face away from him, so the man came round (from the other side) towards his face and said, 'O Messenger of Allâh! I have committed adultery.' The Messenger of Allâh ﷺ again turned his face away from him, but the man repeated his statement four times. When he testified four times that he did it, the Messenger of Allâh ﷺ called him saying, **"Are you insane?"** The man said, 'No.' The Messenger of Allâh ﷺ then asked him, **"Are you married?"** The man answered, 'Yes.' The Messenger of Allâh ﷺ **"Take him away and stone him** (to death)." Agreed upon.

١٢٤٧ ــ وَعَـــنِ ابْـــنِ عَبَّاسٍ – رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا – قَالَ : لَمَّا أَتَى مَاعِزُ بْنُ مَـــالِكٍ إِلَـــى النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ لَهُ : «لَعَلَّكَ قَبَّلْتَ ، أَوْ غَمَزْتَ ، أَوْ نَظَرْتَ ؟» قَالَ : لاَ ، يَا رَسُولَ اللَّهِ . رَوَاهُ الْبُخَارِيُّ .

1247. Ibn 'Abbâs (RAA) narrated, 'When Mâ'iz came to the Prophet ﷺ (admitting that he had committed adultery), he said to

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first, but just to stone her. Some scholars are also of the opinion that this hadîth is abrogated as it was the first to be revealed, concerning the punishment of the married adulterer and adulteress while the story of Mâ'iz occurred at a later time.

351- He is Mâ'îz al-Aslamî as evidenced by the following hadîth.

him, **"Perhaps you have just kissed, or touched or looked** (at the woman)." Mâ´iz said, 'No, O Messenger of Allâh.' Related by Al-Bukhârî.

١٢٤٨ ــ وَعَنْ عُمَرَ بْنِ الْخَطَّابِ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - أَنَّهُ خَطَبَ فَقَالَ : «إِنَّ اللَّهَ بَعَثَ مُحَمَّدًا بِالْحَقِّ ، وَأَنْزَلَ عَلَيْهِ الْكِتَابَ ، فَكَانَ فِيمَا أَنْزَلَ اللَّهُ عَلَيْهِ آيَةُ الرَّجْمِ ، قَرَأْنَاهَا ، وَوَعَيْنَاهَا وَعَقَلْنَاهَا ، فَرَجَمَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، وَرَجَمْنَا بَعْدَهُ ، فَأَخْشَى إِنْ طَالَ بِالنَّاسِ زَمَانٌ أَنْ يَقُولَ قَائِلٌ : مَا نَجِدُ الرَّجْمَ فِي كِتَابِ اللَّهِ ، فَيَضِلُّوا بِتَرْكِ فَرِيضَةٍ أَنْزَلَهَا اللَّهُ ، وَإِنَّ الرَّجْمَ حَقٌّ فِي كِتَابِ اللَّهِ - تَعَالَى - : عَلَى مَنْ زَنَى ، إِذَا أُحْصِنَ مِنَ الرِّجَالِ وَالنِّسَاءِ ، إِذَا قَامَتِ الْبَيِّنَةُ ، أَوْ كَانَ الْحَبَلُ أَوِ الإِعْتِرَافُ». مُتَّفَقٌ عَلَيْهِ .

1248. 'Umar bin al-Khattâb (RAA) narrated that he addressed the people and said, 'Verily Allâh has sent Muhammad with the Truth and sent down the Book to him, and the verse of stoning was included in what Allâh sent down. We recited, memorized and comprehended it. The Messenger of Allâh ﷺ accordingly (to what was in the verse) stoned to death (whoever committed adultery while being married), and we stoned after his death. But I am afraid that after a long time passes, someone may say, 'We do not find the Verses of stoning in Allâh's Book,[352] and thus they may go astray by abandoning an obligation that Allâh has sent down. Verily, stoning is an obligation in the Book of Allâh to be inflicted on married men and women who commit adultery, when their crime is proven,[353] evident by pregnancy, or through the confession (of the adulterer).' Agreed upon.

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352- A Qur'ânic verse was revealed prescribing the punishment of stoning, but according to the opinion of the majority of the companions and scholars, it was later abrogated, regarding its recitation in the Qur'ân, but its verdict still applies as proven by the *Sunnah*. The Prophet ﷺ and the companions after his death continued to apply this punishment for the married culprit.

353- The evidence required in this crime is: either four witnesses, confession by the one who committed it, or pregnancy which applies only to women. The majority of scholars are of the opinion that pregnancy by itself is not a sufficient sign to inflict the punishment unless it is accompanied

١٢٤٩ ــ وَعَنْ أَبِي هُرَيْرَةَ قَالَ : سَمِعْتُ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يَقُولُ : «إِذَا زَنَتْ أَمَةُ أَحَدِكُمْ فَتَبَيَّنَ زِنَاهَا فَلْيَجْلِدْهَا الْحَدَّ ، وَلاَ يُثَرِّبْ عَلَيْهَا ، ثُمَّ إِنْ زَنَتْ فَلْيَجْلِدْهَا الْحَدَّ ، وَلاَ يُثَرِّبْ عَلَيْهَا ، ثُمَّ إِنْ زَنَتِ الثَّالِثَةَ فَتَبَيَّنَ زِنَاهَا فَلْيَبِعْهَا وَلَوْ بِحَبْلٍ مِنْ شَعَرٍ». مُتَّفَقٌ عَلَيْهِ ، وَهَذَا لَفْظُ مُسْلِمٍ .

1249. Abû Hurairah (RAA) narrated, 'I heard the Messenger of Allâh ﷺ say, **"When the slave-woman of one of you commits adultery and she is proven guilty (through witnesses or confession), he should flog her as prescribed (for the slave woman),[354] but he should not admonish her. If she does this again, then she should be flogged again but he should not admonish her. If she commits it for the third time, and she is proven guilty, then he must sell her even if it was for a rope of hair."** Agreed upon, and the wording is from Muslim.

١٢٥٠ ــ وَعَنْ عَلِيٍّ قَالَ : قَالَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ : «أَقِيمُوا الْحُدُودَ عَلَى مَا مَلَكَتْ أَيْمَانُكُمْ». رَوَاهُ أَبُو دَاوُدَ ، وَهُوَ فِي مُسْلِمٍ مَوْقُوفٌ .

1250. 'Alî (RAA) narrated that the Messenger of Allâh ﷺ said, **"Inflict the prescribed punishment on those whom you possess (i.e. your slaves)."** Related by Abû Dawûd and Muslim (but only traced to the Companion).

١٢٥١ ــ وَعَــنْ عِمْرَانَ بْنِ حُصَيْنٍ – رَضِيَ اللهُ عَنْهُ – : أَنَّ امْرَأَةً مِنْ جُهَيْنَةَ أَتَتِ النَّــبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ – وَهِيَ حُبْلَى مِنَ الزِّنَا – فَقَالَتْ : يَا نَبِيَّ اللهِ ، أَصَبْتُ حَدًّا ، فَأَقِمْهُ عَلَيَّ . فَدَعَا رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ وَلِيَّهَا ، فَقَالَ : «أَحْسِنْ

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with confession or witnesses. Mâlik on the other hand believes that the pregnancy of an unmarried woman who was not forced to commit fornication, is sufficient to inflict punishment taking this hadîth as evidence.

354- The Messenger of Allâh ﷺ is referring to the verse, ***"And after they have been taken in wedlock, if they commit illegal sexual intercourse, their punishment is half that for free (unmarried) women." (4:25).*** The punishment referred to in this verse is 50 lashes.

إِلَيْهَا ، فَإِذَا وَضَعَتْ فَائْتِنِي بِهَا» فَفَعَلَ ، فَأَمَرَ بِهَا فَشُكَّتْ عَلَيْهَا ثِيَابُهَا ، ثُمَّ أَمَرَ بِهَا فَرُجِمَتْ ، ثُمَّ صَلَّى عَلَيْهَا ، فَقَالَ عُمَرُ : أَتُصَلِّي عَلَيْهَا يَا نَبِيَّ اللهِ وَقَدْ زَنَتْ ؟ فَقَالَ : «لَقَدْ تَابَتْ تَوْبَةً لَوْ قُسِّمَتْ بَيْنَ سَبْعِينَ مِنْ أَهْلِ الْمَدِينَةِ لَوَسِعَتْهُمْ ، وَهَلْ وَجَدْتَ أَفْضَلَ مِنْ أَنْ جَادَتْ بِنَفْسِهَا لِلَّهِ تَعَالَى ؟». رَوَاهُ مُسْلِمٌ .

1251. 'Imrân bin Husain (RAA) narrated, 'A woman from Juhainah came to the Prophet ﷺ while she was pregnant due to committing adultery, and said, 'O Messenger of Allâh! I have done something for which a prescribed punishment is to be inflicted, so please inflict it on me. The Messenger of Allâh ﷺ called her guardian and said, **"Be good to her, and when she delivers bring her back to me."** Her guardian brought her back when she had delivered and the Messenger of Allâh ﷺ gave his commands and her clothes were tied around her and then the Prophet ﷺ gave his commands and she was stoned to death. The Messenger of Allâh ﷺ offered funeral prayer for her, and thereupon 'Umar said, 'O Messenger of Allâh! You offer funeral prayer for her even though she committed adultery?' The Messenger of Allâh ﷺ replied, **"She has offered such a repentance** (for her sin) **that if it was divided between seventy of the inhabitants of Madînah, it would be sufficient for them. Have you found such repentance better than sacrificing her life for the sake of Allâh, the Almighty?"**[355] Related by Muslim.

١٢٥٢ ــ وَعَنْ جَابِرِ بْنِ عَبْدِاللَّهِ - رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا - قَالَ : «رَجَمَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ رَجُلاً مِنْ أَسْلَمَ ، وَرَجُلاً مِنَ الْيَهُودِ ، وَامْرَأَةً». رَوَاهُ مُسْلِمٌ .

1252. Jâbir bin 'Abdullâh (RAA) narrated, 'The Messenger of Allâh ﷺ stoned a man from Aslam[356] to death, a Jewish man and

355- No punishment is to be inflicted on the pregnant woman until she gives birth even if she was unmarried. In another narration concerning the same woman it was explained that she was not stoned until she weaned her child.

356- He is Mâ'z whose story was related earlier.

a woman.'[357] Related by Muslim.

١٢٥٣ ــ وَقِصَّةُ الْيَهُودِيَّيْنِ فِي الصَّحِيحَيْنِ مِنْ حَدِيثِ ابْنِ عُمَرَ .

1253. The story of stoning the two Jews[358] is mentioned in Al-Bukhârî and Muslim on the authority of Ibn 'Umar.

١٢٥٤ ــ وَعَنْ سَعِيدِ بْنِ سَعْدِ بْنِ عُبَادَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : كَانَ فِي أَبْيَاتِنَا رُوَيْجِــلٌ ضَعِيفٌ ، فَخَبَثَ بِأَمَةٍ مِنْ إِمَائِهِمْ ، فَذَكَرَ ذَلِكَ سَعْدٌ لِرَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ : «اضْرِبُوهُ حَدَّهُ». فَقَالُوا : يَا رَسُولَ اللَّهِ ، إِنَّهُ أَضْعَفُ مِنْ ذَلِكَ . فَقَــالَ : «خُذُوا عِثْكَالاً فِيهِ مِئَةُ شِمْرَاخٍ ثُمَّ اضْرِبُوهُ بِهِ ضَرْبَةً وَاحِدَةً» فَفَعَلُوا . رَوَاهُ أَحْمَدُ ، وَالنَّسَائِيُّ ، وَابْنُ مَاجَهْ ، وَإِسْنَادُهُ حَسَنٌ ، لَكِنِ اخْتُلِفَ فِي وَصْلِهِ وَإِرْسَالِهِ .

1254. Sa'îd bin Sa'd bin 'Ubâdah (RAA) narrated, 'A small weak man was staying in our tribe, and he committed adultery with one of their slave-women. Sa'd mentioned this to the Messenger of Allâh ﷺ, and thereupon he said, **"Flog him** (according to) **the prescribed penalty."** The people then said, 'O Messenger of Allâh! He is too weak to bear it.' The Messenger of Allâh ﷺ then said, **"Get a stalk of the raceme of a palm tree with a hundred twigs and strike him just once.[359]"** So, they did. Related

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357- The woman from Juhainah whose story was told in the previous hadîth.

358- Two Jewish people (a man and a woman) were brought to the Prophet ﷺ as they committed adultery and they were both married. The Messenger of Allâh ﷺ asked them about the legal penalty for such a crime in their Book (the Torah). They told him that their Rabbis have innovated a punishment of blackening the faces with charcoal. 'Abdullâh bin Salâm said, 'O Messenger of Allâh! Tell them to bring the Torah.' When they brought the Torah, one of them found the verse of stoning to death with his hand and starting reading the preceding verse and what followed. Ibn Salâm then said to the Jews, 'Lift up your hand.' The verse was there under his hand and thereupon the Messenger of Allâh ﷺ ordered that the two sinners be stoned to death.

359- People were afraid that he may die if he receives the full 100 lashes, so the Prophet out of mercy for him, ordered them to get this stalk, but still with 100 twigs (to fulfill the number of lashes), to flog him with.

by Ahmad, An-Nasâ'î and Ibn Mâjah with a good chain of narrators.

١٢٥٥ ــ وَعَنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «مَنْ وَجَدْتُمُوهُ يَعْمَلُ عَمَلَ قَوْمِ لُوطٍ فَاقْتُلُوا الْفَاعِلَ وَالْمَفْعُولَ بِهِ ، وَمَنْ وَجَدْتُمُوهُ وَقَعَ عَلَى بَهِيمَةٍ فَاقْتُلُوهُ وَاقْتُلُوا الْبَهِيمَةَ». رَوَاهُ أَحْمَدُ ، وَالأَرْبَعَةُ وَرِجَالُهُ مُوَثَّقُونَ ، إِلاَّ أَنَّ فِيهِ اخْتِلافًا .

1255. Ibn 'Abbâs (RAA) narrated that the Messenger of Allâh ﷺ said, **"Whoever you find doing as the people of Lot did** (i.e. homosexuality), **kill the one who does it and the one to whom it is done, and if you find anyone having sexual intercourse with an animal, kill him and kill the animal.'**[360] Related by Ahmad and the four Imâms with a trustworthy chain of narrators.

١٢٥٦ ــ وَعَنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ضَرَبَ وَغَرَّبَ ، وَأَنَّ أَبَا بَكْرٍ ضَرَبَ وَغَرَّبَ ، وَأَنَّ عُمَرَ ضَرَبَ وَغَرَّبَ». رَوَاهُ التِّرْمِذِيُّ ، وَرِجَالُهُ ثِقَاتٌ ، إِلاَّ أَنَّهُ اخْتُلِفَ فِي وَقْفِهِ وَرَفْعِهِ .

1256. Ibn 'Umar (RAA) narrated, 'The Messenger of Allâh ﷺ applied the punishment of flogging and also that of exile,Abû Bakr (RAA) applied the punishments of flogging and exile and also 'Umar applied them." Related by At-Tirmidhî with a trustworthy chain of narrators, but scholars differed over its being traced back to the Prophet ﷺ or only to the companion.

١٢٥٧ ــ وَعَنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : لَعَنَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ الْمُخَنَّثِينَ مِنَ الرِّجَالِ ، وَالْمُتَرَجِّلاَتِ مِنَ النِّسَاءِ ، وَقَالَ : «أَخْرِجُوهُمْ مِنْ بُيُوتِكُمْ». رَوَاهُ الْبُخَارِيُّ .

1257. Ibn 'Abbâs (RAA) narrated, 'The Messenger of Allâh ﷺ

360- As for killing the animal, some scholars say that the *Fitrah* (nature) of this animal has been spoiled, as it is not created for this. Others say that it is disliked to eat it or use it after such a disgraceful action.

cursed men who are hermaphrodites and women who take the similitude of men, and said, **"Get them out of your homes."** Related by Al-Bukhârî.

١٢٥٨ ــ وَعَــنْ أَبِــي هُرَيْــرَةَ قَــالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «ادْفَعُوا الْحُدُودَ مَا وَجَدْتُمْ لَهَا مَدْفَعًا». أَخْرَجَهُ ابْنُ مَاجَهْ بِإِسْنَادٍ ضَعِيفٍ .

1258. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"Avert the infliction of the prescribed punishments as long as you find a way out** (i.e. to avoid their infliction)." Related by Ibn Mâjah with a weak chain of narrators.

١٢٥٩ ــ وَأَخْــرَجَهُ التِّرْمِذِيُّ ، وَالْحَاكِمُ مِنْ حَدِيثِ عَائِشَةَ – رَضِيَ اللَّهُ عَنْهَا – بِلَفْظِ : «ادْرَءُوا الْحُدُودَ عَنِ الْمُسْلِمِينَ مَا اسْتَطَعْتُمْ». وَهُوَ ضَعِيفٌ أَيْضًا .

1259. At-Tirmidhî and Al-Hâkim transmitted on the authority of 'Â'ishah (RAA) with the wording, 'Allâh's Messenger ﷺ said, **"Avert the infliction of the prescribed punishment on Muslims as much as you can."** It is also a weak hadîth.

١٢٦٠ ــ وَرَوَاهُ الْبَــيْهَقِيُّ عَــنْ عَلِيٍّ – رَضِيَ اللَّهُ تَعَالَى عَنْهُ – مِنْ قَوْلِهِ بِلَفْظِ : «ادْرَءُوا الْحُدُودَ بِالشُّبُهَاتِ» .

1260. Al-Baihaqî transmitted on the authority of 'Alî (RAA) that he said, 'Avert the prescribed punishments by rejecting doubtful evidence.'

١٢٦١ ــ وَعَــنِ ابْــنِ عُمَــرَ قَــالَ : قَــالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «اجْتَنِبُوا هَذِهِ الْقَاذُورَاتِ الَّتِي نَهَى اللَّهُ – تَعَالَى – عَنْهَا ، فَمَنْ أَلَمَّ بِهَا فَلْيَسْتَتِرْ بِسِتْرِ اللَّــهِ – تَعَــالَى – ، وَلْيَتُبْ إِلَى اللَّهِ – تَعَالَى – ، فَإِنَّهُ مَنْ يُبْدِ لَنَا صَفْحَتَهُ نُقِمْ عَلَيْهِ كِتَابَ اللَّهِ – تَعَالَى – ». رَوَاهُ الْحَاكِمُ ، وَهُوَ فِي الْمُوَطَّإِ مِنْ مَرَاسِلِ زَيْدِ بْنِ أَسْلَمَ .

1261. Ibn 'Umar (RAA) narrated that the Messenger of Allâh ﷺ said, **"Avoid these filthy practices which Allâh, the Almighty has prohibited. He who commits any of these, should conceal with Allâh's Most High Veil** (i.e. should not speak

about it), **and should turn to Allâh, the Most High in repentance, for if anyone uncovers his hidden sins** (to us), **we shall inflict on him the punishment prescribed by Allâh, the Almighty."** Related by Al-Hâkim and in Al-Muwatta' but traced to its narrator Zaid bin Aslam as *Hadîth Mursal.*

## بَـــابُ حَــدِّ الْقَــذْفِ

## *Chapter II: Penalty for Qadhf (Accusing a Person of Adultery without Proof)*

١٢٦٢ ـــ عَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «لَمَّا نَزَلَ عُذْرِي قَامَ رَسُولُ اللَّهِ صَـــلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَلَى الْمِنْبَرِ ، فَذَكَرَ ذَلِكَ وَتَلاَ الْقُرْآنَ ، فَلَمَّا نَزَلَ أَمَرَ بِرَجُلَيْنِ وَامْرَأَةٍ فَضُرِبُوا الْحَدَّ». أَخْرَجَهُ أَحْمَدُ ، وَالأَرْبَعَةُ ، وَأَشَارَ إِلَيْهِ الْبُخَارِيُّ .

1262. ´Â'ishah (RAA) narrated, 'When my vindication was revealed,[361] the Prophet ﷺ mounted the pulpit and mentioned what happened and recited the verses of the Qur'ân (which had been revealed).When he came down from the pulpit he ordered that two men and a woman[362] should be given the prescribed flogging (for this false accusation of ´Â'ishah (RAA) which is eighty lashes).' Related by Ahmad and the four Imâms. Al-Bukhârî referred to it.

١٢٦٣ ـــ وَعَـــنْ أَنَـــسِ بْنِ مَالِكٍ قَالَ : أَوَّلُ لِعَانٍ كَانَ فِي الإِسْلاَمِ أَنَّ شَرِيكَ بْنَ سَحْمَاءَ قَذَفَهُ هِلاَلُ بْنُ أُمَيَّةَ بِامْرَأَتِهِ ، فَقَالَ لَهُ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : « الْبَيِّنَةَ ، وَإِلاَّ فَحَدٌّ فِي ظَهْرِكَ». الْحَدِيثَ أَخْرَجَهُ أَبُو يَعْلَى ، وَرِجَالُهُ ثِقَاتٌ .

1263. Anas bin Mâlik (RAA) narrated, 'The first *Li´ân* that took place in Islâm was when Hilâl bin Umaiyah accused his wife of having committed adultery with Shuraik bin Sahmâ.' Thereupon the Messenger of Allâh ﷺ said to him, **"Either you produce evidence** (for your claim) **or you will receive punishment**

361- *Sûrat an-Nûr (24:11).*

362- The two men are Mistah bin Athâthah and Hassân bin Thâbit and the woman is Hamnah bint Jahsh.

**on your back** (i.e. flogged for your accusation if it is false."(refer to hadîth no.1138). Related by Abû Ya'lâ with a trustworthy chain of narrators.

١٢٦٤ ــ وَفِي الْبُخَارِيِّ نَحْوُهُ مِنْ حَدِيثِ ابْنِ عَبَّاسٍ – رَضِيَ اللَّهُ عَنْهُمَا – .

1264. Al-Bukhârî related a similar hadîth on the authority of Ibn 'Abbâs (RAA).

١٢٦٥ ــ وَعَنْ عَبْدِاللَّهِ بْنِ عَامِرِ بْنِ رَبِيعَةَ قَالَ : «لَقَدْ أَدْرَكْتُ أَبَا بَكْرٍ وَعُمَرَ وَعُثْمَانَ – رَضِيَ اللَّهُ عَنْهُمْ – وَمَنْ بَعْدَهُمْ ، فَلَمْ أَرَهُمْ يَضْرِبُونَ الْمَمْلُوكَ فِي الْقَذْفِ إِلاَّ أَرْبَعِينَ». رَوَاهُ مَالِكٌ وَالثَّوْرِيُّ فِي جَامِعِهِ .

1265. 'Abdullâh bin 'Âmir bin Rabî'ah narrated, 'I witnessed the time of Abû Bakr, 'Umar and 'Uthmân (RAA), and those who came after them. I never saw them flogging a slave for *Qadhf*(false accusation of adultery) except forty lashes.'[363] Related by Mâlik, and Ath-Thawrî in his book *al-Jâmi'*.

١٢٦٦ ــ وَعَنْ أَبِي هُرَيْرَةَ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ قَذَفَ مَمْلُوكَهُ يُقَامُ عَلَيْهِ الْحَدُّ يَوْمَ الْقِيَامَةِ ، إِلاَّ أَنْ يَكُونَ كَمَا قَالَ». مُتَّفَقٌ عَلَيْهِ .

1266. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"He who accuses his slave of committing adultery** (without proof) **will be punished with the prescribed penalty on the Day of Resurrection unless it is** (true) **as he said."** Agreed upon.

## بَابُ حَدِّ السَّرِقَةِ

## *Chapter III: Penalty for Theft*

١٢٦٧ ــ عَنْ عَائِشَةَ قَالَتْ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ تُقْطَعُ يَدُ سَارِقٍ إِلاَّ فِي رُبُعِ دِينَارٍ فَصَاعِدًا». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِمُسْلِمٍ .

363- This is evidence that the punishment of a male or a female slave for this crime is half of that prescribed for a free person, which would be 80 lashes.

وَلَفْظُ الْبُخَارِيِّ : «تُقْطَعُ يَدُ السَّارِقِ فِي رُبْعِ دِينَارٍ فَصَاعِدًا». وَفِي رِوَايَةٍ لِأَحْمَدَ : «اقْطَعُوا فِي رُبْعِ دِينَارٍ، وَلاَ تَقْطَعُوا فِيمَا هُوَ أَدْنَى مِنْ ذَلِكَ» .

1267. 'Â'ishah (RAA) narrated that Allâh's Messenger ﷺ said, **"A thief's hand should not be cut off except for a quarter of a Dînâr[364] or more."** Agreed upon and the wording is from Muslim.

The version of Al-Bukhârî reads, **"The hand of a thief is to be cut off for a quarter of a Dînâr or more."**

In a version by Ahmad, **"Cut off a thief's hand for a quarter of a Dînâr, and do not cut it off for what is less than that."**

١٢٦٨ ــ وَعَنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَطَعَ فِي مِجَنٍّ ثَمَنُهُ ثَلاَثَةُ دَرَاهِمَ». مُتَّفَقٌ عَلَيْهِ .

1268. Ibn 'Umar (RAA) narrated that the Messenger of Allâh ﷺ cut off the hand of a thief for stealing a shield that was worth three Dirhams. Agreed upon.

١٢٦٩ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لَعَنَ اللَّهُ السَّارِقَ ، يَسْرِقُ الْبَيْضَةَ ، فَتُقْطَعُ يَدُهُ ، وَيَسْرِقُ الْحَبْلَ فَتُقْطَعُ يَدُهُ». مُتَّفَقٌ عَلَيْهِ أَيْضًا .

1269. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"May Allâh curse the thief who steals an egg for which his hand is cut off, or steals a rope for which his hand is to be cut off.'** Agreed upon.[365]

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364- A theif's right hand is to be cut off if he is caught stealing a quarter of a Dînâr (almost 1.5 gm of gold) or goods worth that much at the time of the theft.

365- The consensus of the scholars is that stealing an egg or a rope does not call for someone's hand to be cut off. The exaggeration in the hadîth is meant to be a factor that urges anyone who thinks of stealing, to think twice, and see how mean this act is, as he would loose his precious right hand for something as worthless as an egg.

١٢٧٠ ـــ وَعَـــنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَـــالَ : «أَتَشْفَعُ فِي حَدٍّ مِنْ حُدُودِ اللَّهِ ؟» ثُمَّ قَامَ فَخَطَبَ ، فَقَالَ : «أَيُّهَا النَّاسُ ، إِنَّمَـــا هَلَكَ الَّذِينَ مِنْ قَبْلِكُمْ أَنَّهُمْ كَانُوا إِذَا سَرَقَ فِيهِمُ الشَّرِيفُ تَرَكُوهُ ، وَإِذَا سَرَقَ فِيهِمُ الضَّعِيفُ أَقَامُوا عَلَيْهِ الْحَدَّ». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِمُسْلِم .

وَلَـــهُ مِـــنْ وَجْهٍ آخَرَ عَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : كَانَتِ امْرَأَةٌ تَسْتَعِيرُ الْمَتَاعَ وَتَجْحَدُهُ ، فَأَمَرَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بِقَطْعِ يَدِهَا .

1270. ´Â'ishah (RAA) narrated, 'Allâh's Messenger ﷺ said (to Usâmah bin Zaid), **"Are you interceding with regards to one of Allâh's prescribed penalties?**[366]**"** Then he got up and addressed the people saying, **"O people! What destroyed the nations before you, was that when a noble person committed theft, they used to leave him** (without punishment), **but if a weak person among them committed theft, they would inflict the legal punishment on him."** Agreed upon and the wording is from Muslim.

Muslim has another version on the authority of ´Â'ishah (RAA) who said, 'A woman used to borrow (people's) belongings and deny having taken them, so the Prophet ﷺ ordered that her hand be cut off.'

١٢٧١ ـــ وَعَـــنْ جَابِرٍ - رَضِيَ اللَّهُ عَنْهُ - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لَـــيْسَ عَلَـــى خَائِنٍ ، وَلاَ مُخْتَلِسٍ ، وَلاَ مُنْتَهِبٍ قَطْعٌ». رَوَاهُ أَحْمَدُ ، وَالأَرْبَعَةُ ، وَصَحَّحَهُ التِّرْمِذِيُّ، وَابْنُ حِبَّانَ .

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366- A lady known as Fâṯimah bint Aswad al-Makhzûmiyah who came from a prominent family committed an act of theft. When the Messenger of Allâh ﷺ commanded that her hand was to be cut off, people started to intercede to exempt her from punishment, and among them was Usâmah bin Zaid, the son of his former servant Zaid bin Thâbit. The Messenger of Allâh ﷺ became very angry and said the statement mentioned in the ḫadîth. The owner of the stolen goods however can intercede for the thief, for his hand not to be cut off as long as the case has not yet been taken to the judge. Once it has been brought to court, no one can seek pardon for the thief.

1271. Jâbir (RAA) narrated that the Messenger of Allâh ﷺ said, **"There is no cutting of the hand for the treacherous, for snatching** (like the one who snatches and runs away), **or for forcible seizure (looting or robbery)."** Related by Ahmad and the four Imâms. At-Tirmidhî and Ibn Hibbân graded it as *Sahîh*.

١٢٧٢ ــ وَعَنْ رَافِعِ بْنِ خَدِيجٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ : «لاَ قَطْعَ فِي ثَمَرٍ وَلاَ كَثَرٍ». رَوَاهُ الْمَذْكُورُونَ ، وَصَحَّحَهُ أَيْضًا التِّرْمِذِيُّ ، وَابْنُ حِبَّانَ .

1272. Râfi' bin Khudaij (RAA) narrated, 'I heard the Messenger of Allâh ﷺ say, **"There is no cutting off of a hand for taking fruit or the pith of a palm tree."** Related by Ahmad and the four Imâms. At-Tirmidhî and Ibn Hibbân graded it as *Sahîh*.

١٢٧٣ ــ وَعَنْ أَبِي أُمَيَّةَ الْمَخْزُومِيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : أُتِيَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بِلِصٍّ قَدِ اعْتَرَفَ اعْتِرَافًا ، وَلَمْ يُوجَدْ مَعَهُ مَتَاعٌ ، فَقَالَ لَهُ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَا إِخَالُكَ سَرَقْتَ» قَالَ : بَلَى . فَأَعَادَ عَلَيْهِ مَرَّتَيْنِ أَوْ ثَلاَثًا ، فَأَمَرَ بِهِ ، فَقُطِعَ ، وَجِيءَ بِهِ ، فَقَالَ : «اسْتَغْفِرِ اللَّهَ وَتُبْ إِلَيْهِ». فَقَالَ : أَسْتَغْفِرُ اللَّهَ وَأَتُوبُ إِلَيْهِ . فَقَالَ : «اللَّهُمَّ تُبْ عَلَيْهِ - ثَلاَثًا -» . أَخْرَجَهُ أَبُو داود ، وَاللَّفْظُ لَهُ ، وَأَحْمَدُ ، وَ النسائي ، وَرِجَالُهُ ثِقَاتٌ .

1273. Abû Umaiyah al-Makhzûmî (RAA) narrated, 'A thief who has made a confession was brought to the Messenger of Allâh ﷺ, but no goods were found with him. Allâh's Messenger ﷺ said to him, **"I do not think you have stolen!"** The man replied, 'Yes I have.' The Prophet ﷺ repeated it to him twice or thrice, so he gave his commands concerning him, and his hand was cut off. He was then brought to the Messenger of Allâh ﷺ who said to him, **"Ask for the forgiveness of Allâh and turn to Him in repentance."** The man then said, 'I ask Allâh's forgiveness and turn to Him in repentance.' The Messenger of Allâh ﷺ then said three times, **"O Allâh! forgive him."** Related by Abû Dawûd, Ahmad and An-Nasâ'î with a trustworthy chain of narrators, and it is Abû Dawûd's version.

١٢٧٤ ـــ وَأَخْـــرَجَهُ الْحَاكِمُ مِنْ حَدِيثِ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - ، فَسَاقَهُ بِمَعْـــنَاهُ ، وَقَالَ فِيهِ : «اذْهَبُوا بِهِ فَاقْطَعُوهُ ، ثُمَّ احْسِمُوهُ». وَأَخْرَجَهُ الْبَزَّارُ أَيْضاً ، وَقَالَ لاَ بَأْسَ بِإِسْنَادِهِ .

1274. Al-Hâkim transmitted the same hadîth on the authority of Abû Hurairah (RAA) giving similar meaning. The Messenger of Allâh ﷺ said, **"Take him away and cut off his hand and cauterize him."** Al-Bazzâr transmitted the same hadîth but commented that its chain of narrators is not sound.

١٢٧٥ ـــ وَعَـــنْ عَـــبْدِالرَّحْمَنِ بْنِ عَوْفٍ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لاَ يَغْرَمُ السَّارِقُ إِذَا أُقِيمَ عَلَيْهِ الْحَدُّ». رَوَاهُ النَّسَائِيُّ ، وَبَيَّنَ أَنَّهُ مُنْقَطِعٌ ، وَقَالَ أَبُو حَاتِمٍ : هُوَ مُنْكَرٌ .

1275. 'Abdur Rahmân bin 'Auf (RAA) narrated that the Messenger of Allâh ﷺ said, **"A thief is not to be fined if the prescribed punishment has been inflicted on him."** Related by An-Nasâ'î who said that its chain of narrators is disconnected.

١٢٧٦ ـــ وَعَنْ عَبْدِاللَّهِ بْنِ عَمْرِو بْنِ الْعَاصِ - رَضِيَ اللَّهُ عَنْهُمَا - عَنْ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : أَنَّهُ سُئِلَ عَنِ التَّمْرِ الْمُعَلَّقِ ، فَقَالَ : «مَنْ أَصَابَ بِفِيهِ مِنْ ذِي حَاجَـــةٍ غَـــيْرَ مُـــتَّخِذٍ خُبْـــنَةً فَلاَ شَيْءَ عَلَيْهِ ، وَمَنْ خَرَجَ بِشَيْءٍ مِنْهُ فَعَلَيْهِ الْغَرَامَةُ وَالْعُقُوبَـــةُ ، وَمَـــنْ خَـــرَجَ بِشَيْءٍ مِنْهُ بَعْدَ أَنْ يُؤْوِيَهُ الْجَرِينُ فَبَلَغَ ثَمَنَ الْمِجَنِّ فَعَلَيْهِ الْقَطْعُ». أَخْرَجَهُ أَبُو دَاوُدَ ، وَالنَّسَائِيُّ ، وَصَحَّحَهُ الْحَاكِمُ .

1276. 'Abdullâh bin 'Amro bin al-'Âs (RAA) narrated, 'The Messenger of Allâh ﷺ was asked about dates which are still hanging on the palm tree, he then said, **"If a needy person eats some dates, but without taking a supply away in his garment, he is not to be blamed, but if anyone takes away any of it, he is to be fined and punished. And if anyone takes away any of it** (the dates) **after it has been put in the place where it is going to be dried, and it amounts to the price of a shield,**

**he must have his hand cut off."** Related by Abû Dawûd and An-Nasâ'î. Al-Hâkim graded it as Sahîh.

١٢٧٧ ـــ وَعَنْ صَفْوَانَ بْنِ أُمَيَّةَ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَــالَ - لَمَّــا أَمَرَ بِقَطْعِ الَّذِي سَرَقَ رِدَاءَهُ فَشَفَعَ فِيهِ - : «هَلاَّ كَانَ ذَلِكَ قَبْلَ أَنْ تَأْتِيَنِي بِهِ ؟». أَخْرَجَهُ أَحْمَدُ ، وَالأَرْبَعَةُ ، وَصَحَّحَهُ ابْنُ الْجَارُودِ ، وَالْحَاكِمُ .

1277. Safwân bin Umaiyah (RAA) narrated, 'When the Messenger of Allâh ﷺ commanded that the thief who had stolen his cloak (i.e. Safwân's) should have his hand cut off, Safwân wanted to intercede, for the thief's hand not to be removed. Thereupon the Messenger of Allâh ﷺ said to him,**"Why didn't you do so before bringing him to me?"** Related by Ahmad, the four Imâms, and Al-Hâkim graded it as *Sahîh*.

١٢٧٨ ـــ وَعَــنْ جَابِرٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : جِيءَ بِسَارِقٍ إِلَى النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ : «اقْتُلُوهُ». فَقَالُوا : إِنَّمَا سَرَقَ يَا رَسُولَ اللَّهِ . قَالَ : «اقْطَعُوهُ». فَقُطِــعَ ، ثُــمَّ جِيءَ بِهِ الثَّانِيَةَ ، فَقَالَ : «اقْتُلُوهُ». فَذَكَرَ مِثْلَهُ ، ثُمَّ جِيءَ بِهِ الثَّالِثَةَ ، فَذَكَرَ مِثْلَهُ ، ثُمَّ جِيءَ بِهِ الرَّابِعَةَ كَذَلِكَ ، ثُمَّ جِيءَ بِهِ الْخَامِسَةَ ، فَقَالَ : «اقْتُلُوهُ». أَخْرَجَهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ ، وَاسْتَنْكَرَهُ .

1278. Jâbir (RAA) narrated, 'A thief was brought to the Prophet ﷺ and he said to them, **"Kill him."** The people said, 'He has just stolen O Messenger of Allâh!' He then said, **"Cut off his hand."** He was brought to him the second time and the Messenger of Allâh ﷺ also said,**"Kill him."** They said the same and the Messenger of Allâh ﷺ said to them, **'Cut off his hand."** The same man was brought a third and a fourth time and same was said.[367] When they brought him for the fifth time, the Messenger of Allâh ﷺ said, **"Kill him."** Related by Abû Dawûd and An-Nasâ'î who regarded it as *Munkar* (a type of a weak hadîth).

367- The first time a thief steals, his right hand is cut off. The second time his left foot is to be cut off, the third time his left hand and the fourth time his right foot.

١٢٧٩ ــ وَأَخْرَجَ مِنْ حَدِيثِ الْحَارِثِ بْنِ حَاطِبٍ نَحْوَهُ ، وَذَكَرَ الشَّافِعِيُّ أَنَّ الْقَتْلَ فِي الْخَامِسَةِ مَنْسُوخٌ .

1279. An-Nasâ'î also reported a similar hadîth on the authority of Al-Hârith bin Hâtib. Ash-Shâfi'î mentioned that the killing in the fifth time (of stealing) is abrogated.

## بَابُ حَدِّ الشَّارِبِ، وَبَيَانِ الْمُسْكِرِ

## *Chapter IV: Penalty for Drinking and the Nature of Intoxicants*

١٢٨٠ ــ عَنْ أَنَسِ بْنِ مَالِكٍ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أُتِيَ بِرَجُلٍ قَدْ شَرِبَ الْخَمْرَ ، فَجَلَدَهُ بِجَرِيدَتَيْنِ نَحْوَ أَرْبَعِينَ ، قَالَ : وَفَعَلَهُ أَبُو بَكْرٍ ، فَلَمَّا كَانَ عُمَرُ اسْتَشَارَ النَّاسَ ، فَقَالَ عَبْدُالرَّحْمَنِ بْنِ عَوْفٍ : أَخَفُّ الْحُدُودِ ثَمَانُونَ ، فَأَمَرَ بِهِ عُمَرُ». مُتَّفَقٌ عَلَيْهِ .

1280. Anas bin Mâlik (RAA) narrated, 'A man who had drunk wine was brought to the Prophet ﷺ and he commanded that the man should be beaten (lashed). The man was given about forty lashes with two palm branches. Anas added, Abû Bakr (RAA) did the same, but when 'Umar (RAA) became the Caliph, he consulted the people and 'Abdur Rahmân bin 'Auf said, 'The mildest punishment for drinking is eighty (lashes).' So, 'Umar (RAA) gave his commands accordingly. Agreed upon.

١٢٨١ ــ وَلِمُسْلِمٍ عَنْ عَلِيٍّ - رَضِيَ اللَّهُ عَنْهُ - فِي قِصَّةِ الْوَلِيدِ بْنِ عُقْبَةَ : «جَلَدَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَرْبَعِينَ ، وَجَلَدَ أَبُو بَكْرٍ أَرْبَعِينَ ، وَجَلَدَ عُمَرُ ثَمَانِينَ ، وَكُلٌّ سُنَّةٌ ، وَهَذَا أَحَبُّ إِلَيَّ». وَفِي الْحَدِيثِ : «أَنَّ رَجُلاً شَهِدَ عَلَيْهِ أَنَّهُ رَآهُ يَتَقَيَّأُ الْخَمْرَ ، فَقَالَ عُثْمَانُ : إِنَّهُ لَمْ يَتَقَيَّأْهَا حَتَّى شَرِبَهَا».

1281. Muslim transmitted on the authority of 'Alî (RAA) concerning the story of al-Walîd bin 'Uqbah[368] that the Messenger of

368- He was the brother of 'Uthmân bin 'Affân and he became a Muslim on the day of the Conquest of Makkah. He was appointed by 'Uthmân to

Allâh inflicted forty lashes, Abû Bakr (RAA) forty lashes and 'Umar (RAA) eighty. All of them are in accordance with the *Sunnah* of the Prophet ﷺ but this one (the eighty lashes) is preferable to me'[369] In this hadîth also a man witnessed that he had seen him vomiting wine, 'Uthmân (RAA) said, 'He would not have vomited it, unless that he had drunk it.'

١٢٨٢ ــ وَعَنْ مُعَاوِيَةَ – رَضِيَ اللَّهُ عَنْهُ – عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنَّهُ قَالَ فِي شَارِبِ الْخَمْرِ: «إِذَا شَرِبَ فَاجْلِدُوهُ، ثُمَّ إِذَا شَرِبَ فَاجْلِدُوهُ، ثُمَّ إِذَا شَرِبَ الثَّالِثَةَ فَاجْلِدُوهُ، ثُمَّ إِذَا شَرِبَ الرَّابِعَةَ فَاضْرِبُوا عُنُقَهُ». أَخْرَجَهُ أَحْمَدُ، وَهَذَا لَفْظُهُ، وَالأَرْبَعَةُ، وَذَكَرَ التِّرْمِذِيُّ مَا يَدُلُّ عَلَى أَنَّهُ مَنْسُوخٌ، وَأَخْرَجَ ذَلِكَ أَبُو دَاوُدَ صَرِيحًا عَنِ الزُّهْرِيِّ.

1282. Mu'âwiyah (RAA) narrated that the Messenger of Allâh ﷺ said regarding the one who drinks alcohol, **'If he drinks** (for the first time) **flog him, then if he drinks for the second time flog him, then if he drinks for the third time flog him then if he drinks for the fourth time you should kill him."** Related by Ahmad and the wording is his. It is also transmitted by the four Imâms; At-Tirmidhî mentioned what indicates that it is abrogated, but Abû Dawûd reported it clearly on the authority of Az-Zuharî.

١٢٨٣ ــ وَعَنْ أَبِي هُرَيْرَةَ – رَضِيَ اللَّهُ عَنْهُ – قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: «إِذَا ضَرَبَ أَحَدُكُمْ فَلْيَتَّقِ الْوَجْهَ». مُتَّفَقٌ عَلَيْهِ.

1283. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"When one of you is flogging** (while inflicting a prescribed punishment)**he should avoid the face."** Agreed upon.

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govern al-Kûfah and was later ordered to retire by him for drinking alcohol.

369- It is preferable for him due to the daring attitude of the drunkards and not that what 'Umar (RAA) did was dearer to him than what the Messenger of Allâh ﷺ did.

١٢٨٤ ــ وَعَــنْ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ تُقَامُ الْحُدُودُ فِي الْمَسَاجِدِ». رَوَاهُ التِّرْمِذِيُّ ، وَالْحَاكِمُ .

1284. Ibn 'Abbâs (RAA) narrated that the Messenger of Allâh ﷺ said, **"Prescribed punishments are not to be inflicted in mosques."** Related by At-Tirmidhî and Al-Hâkim.

١٢٨٥ ــ وَعَــنْ أَنَسٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «لَقَدْ أَنْزَلَ اللَّهُ تَحْرِيمَ الْخَمْرِ وَمَا بِالْمَدِينَةِ شَرَابٌ يُشْرَبُ إِلاَّ مِنْ تَمْرٍ». أَخْرَجَهُ مُسْلِمٌ .

1285. Anas (RAA) narrated, 'Allâh sent down the verses stating the prohibition of alcohol when there was no other beverage to drink in Madînah except that prepared from dates (wine of dates).' Related by Muslim.

١٢٨٦ ــ وَعَــنْ عُمَرَ قَالَ : «نَزَلَ تَحْرِيمُ الْخَمْرِ ، وَهِيَ مِنْ خَمْسَةٍ : مِنَ الْعِنَبِ ، وَالتَّمْرِ ، وَالْعَسَلِ ، وَالْحِنْطَةِ ، وَالشَّعِيرِ ، وَالْخَمْرُ مَا خَامَرَ الْعَقْلَ». مُتَّفَقٌ عَلَيْهِ .

1286. 'Umar (RAA) narrated, 'When the prohibition of *Khamr* (alcoholic drinks) was revealed, it used to be made from: grapes, dates, honey, wheat and barley. *Khamr* is what shields one's mind" Agreed upon.

١٢٨٧ ــ وَعَــنْ ابْــنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «كُلُّ مُسْكِرٍ خَمْرٌ ، وَكُلُّ مُسْكِرٍ حَرَامٌ». أَخْرَجَهُ مُسْلِمٌ .

1287. Ibn 'Umar (RAA) narrated that the Messenger of Allâh ﷺ said, **"Every intoxicant is *Khamr*, and every intoxicant is prohibited."** Related by Muslim.

١٢٨٨ ــ وَعَــنْ جَابِرٍ أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «مَا أَسْكَرَ كَثِيرُهُ فَقَلِيلُهُ حَرَامٌ». أَخْرَجَهُ أَحْمَدُ ، وَالأَرْبَعَةُ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

1288. Jâbir (RAA) narrated that the Messenger of Allâh ﷺ said, **"If a large quantity of any beverage intoxicates, then a small amount of it is prohibited."** Related by Ahmad and the four Imâms. Ibn Hibbân graded it as *Sahîh*.

١٢٨٩ ــ وَعَــنْ ابْنِ عَبَّاسٍ قَالَ : «كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يُنْبَذُ لَهُ الزَّبِيبُ فِي السِّقَاءِ ، فَيَشْرَبُهُ يَوْمَهُ ، وَالْغَدَ ، وَبَعْدَ الْغَدِ ، فَإِذَا كَانَ مَسَاءُ الثَّالِثَةِ شَرِبَهُ وَسَقَاهُ ، فَإِنْ فَضَلَ شَيْءٌ أَهْرَاقَهُ». أَخْرَجَهُ مُسْلِمٌ .

1289. Ibn ´Abbâs (RAA) narrated, 'Raisins used to be soaked for the Messenger of Allâh ﷺ in a water skin, and he would drink it that day, the next day and the following day. When it was the evening of the third day, he would drink it and give some to others. If anything was left from it, he would spill it.' Related by Muslim.

١٢٩٠ ــ وَعَــنْ أُمِّ سَلَمَةَ عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «إِنَّ اللَّهَ لَمْ يَجْعَلْ شِفَاءَكُمْ فِيمَا حَرَّمَ عَلَيْكُمْ». أَخْرَجَهُ الْبَيْهَقِيُّ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

1290. Umm Salamah (RAA) narrated that the Messenger of Allâh ﷺ said, **"Allâh did not make your cure in what He made *Harâm* (unlawful) to you."** Related by Al-Baihaqî and graded as *Sahîh* by Ibn Hibbân.

١٢٩١ ــ وَعَــنْ وَائِلٍ الْحَضْرَمِيِّ أَنَّ طَارِقَ بْنَ سُوَيْدٍ - رَضِيَ اللَّهُ عَنْهُ - ، سَأَلَ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَنِ الْخَمْرِ يَصْنَعُهَا لِلدَّوَاءِ ، فَقَالَ : « إِنَّهَا لَيْسَتْ بِدَوَاءٍ ، وَلَكِنَّهَا دَاءٌ». أَخْرَجَهُ مُسْلِمٌ ، وَأَبُو دَاوُدَ ، وَغَيْرُهُمَا .

1291. Wâ'il Al-Hadramî narrated that Târiq bin Suwaid asked the Messenger of Allâh ﷺ about *Khamr* which he made only to be used as a medicine. The Prophet ﷺ replied, **"It is not a medicine, it is a disease."** Related by Muslim and Abû Dawûd.

## بَــابُ التَّعْزِيــرِ وَحُكْــمُ الصَّــائِــلِ

## *Chapter V: Ta´zîr Discretionary punishment And Ordinances Regarding An Assailant*

١٢٩٢ ــ عَــنْ أَبِي بُرْدَةَ الأَنْصَارِيِّ أَنَّهُ سَمِعَ النَّبِيَّ يَقُولُ : «لاَ يُجْلَدُ فَوْقَ عَشَرَةِ أَسْوَاطٍ إِلاَّ فِي حَدٍّ مِنْ حُدُودِ اللَّهِ - تَعَالَى -». مُتَّفَقٌ عَلَيْهِ .

1292. Abû Burdah Al-Ansârî (RAA) narrated that he heard the Messenger of Allâh ﷺ say, **"No more than ten lashes are to be given except when inflicting one of the *Hudûd* (prescribed punishments) of Allâh."** Agreed upon.

١٢٩٣ ـــ وَعَـــنْ عَائِشَـــةَ - رَضِـــيَ اللَّهُ عَنْهَا - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَـــالَ : «أَقِـــيلُوا ذَوِي الْهَيْـــئَاتِ عَثَرَاتِهِمْ ، إِلاَّ الْحُدُودَ». رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ وَالنَّسَائِيُّ ، وَالْبَيْهَقِيُّ .

1293. 'Â'ishah (RAA) narrated that Allâh's Messenger ﷺ said, **"Forgive the people with high moral values when they slip but not what calls for the infliction of *Hudûd*."** Related by Ahmad, Abû Dawûd, An-Nasâ'î and Al-Baihaqî.

١٢٩٤ ـــ وَعَـــنْ عَلِيٍّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «مَا كُنْتُ لأُقِيمَ عَلَى أَحَدٍ حَدًّا فَيَمُوتَ فَأَجِدَ فِي نَفْسِي، إِلاَّ شَارِبَ الْخَمْرِ، فَإِنَّهُ لَوْ مَاتَ وَدَيْتُهُ». أَخْرَجَهُ الْبُخَارِيُّ.

1294. 'Alî (RAA) narrated, 'I would not blame myself for the death of a man when I inflicted prescribed punishment on him, with the exception of one who drunk *Khamr*, for if he were to die, I would pay *Diyah* for him.'

١٢٩٥ ـــ وَعَنْ سَعِيدِ بْنِ زَيْدٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ قُتِلَ دُونَ مَالِهِ فَهُوَ شَهِيدٌ». رَوَاهُ الأَرْبَعَةُ ، وَصَحَّحَهُ التِّرْمِذِيُّ .

1295. Sa'îd bin Zaid (RAA) narrated that the Messenger of Allâh ﷺ said, **"Whoever is killed while protecting his property, he is a martyr."**[370] Related by the four Imâms and At-Tirmidhî graded it as *Sahîh*.

370- Imâm Muslim transmitted a hadîth on the authority of Abû Hurairah that a man came to the Prophet ﷺ asking about a man who is trying to take away his money, the Prophet ﷺ said to him, **"Do not give it to him."** He then asked again, 'What if he fights me?' The Prophet ﷺ said to him, **"Fight him."** The man asked again, 'What if he kills me?' The Prophet ﷺ said to him, **"You are then** (considered) **a martyr."** The man asked, 'What if I kill him?' The Prophet ﷺ said to him, **"He is then**

١٢٩٦ ــ وَعَــنْ عَبْدِاللهِ بْنِ خَبَّابٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : سَمِعْتُ أَبِي يَقُولُ : سَــمِعْتُ رَسُولَ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ : «تَكُونُ فِتَنٌ ، فَكُنْ فِيهَا عَبْدَاللهِ الْمَقْتُولَ ، وَلاَ تَكُنْ الْقَاتِلَ». أَخْرَجَهُ ابْنُ أَبِي خَيْثَمَةَ ، وَ الدَّارَقُطْنِيُّ .

1296. ´Abdullâh bin Khabbâb (RAA) narrated, 'I heard my father say: 'I heard the Messenger of Allâh ﷺ say, **"There will be times of *Fitan*,[371] so O slave of Allâh be in it the one who is killed and do not be the killer."** Related by Abû Khaithamah and Ad-Dâraqutnî.

١٢٩٧ ــ وَأَخْرَجَ أَحْمَدُ نَحْوَهُ عَنْ خَالِدِ بْنِ عُرْفُطَةَ .

1297. Ahmad transmitted a similar hadîth on the authority of Khâlid bin ´Urfutah.

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**in the Hell Fire."** And in that case there is no *Qisâs* as the man was defending himself.

371- Plural of *Fitnah* which means affliction, hardship trials etc.

كِتَابُ الْجِهَادِ

# Book XI: Jihâd

## *Chapter I*

١٢٩٨ ــ عَنْ أَبِي هُرَيْرَةَ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ مَاتَ ، وَلَمْ يَغْزُ ، وَلَمْ يُحَدِّثْ نَفْسَهُ بِهِ مَاتَ عَلَى شُعْبَةٍ مِنْ نِفَاقٍ». رَوَاهُ مُسْلِمٌ .

1298. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"He who dies without having gone or thought of going out for *Jihâd* in the Cause of Allâh, will die while being guilty of having one of the qualities of hypocrisy."** Related by Muslim.

١٢٩٩ ــ وَعَنْ أَنَسٍ أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «جَاهِدُوا الْمُشْرِكِينَ بِأَمْوَالِكُمْ وَأَنْفُسِكُمْ وَأَلْسِنَتِكُمْ». رَوَاهُ أَحْمَدُ ، وَالنَّسَائِيُّ ، وَصَحَّحَهُ الْحَاكِمُ .

1299. Anas (RAA) narrated that the Messenger of Allâh ﷺ said, **"Fight the disbelievers (polytheists) with your property, yourselves and your tongues."** Related by A<u>h</u>mad, An-Nasâ'î and Al-<u>H</u>âkim graded it as <u>S</u>a<u>h</u>î<u>h</u>.

١٣٠٠ ــ وَعَنْ عَائِشَةَ – رَضِيَ اللَّهُ عَنْهَا – قَالَتْ : قُلْتُ : يَا رَسُولَ اللَّهِ ، عَلَى النِّسَاءِ جِهَادٌ ؟ قَالَ : «نَعَمْ ، جِهَادٌ لاَ قِتَالَ فِيهِ ، هُوَ الْحَجُّ وَالْعُمْرَةُ». رَوَاهُ ابْنُ مَاجَهْ ، وَأَصْلُهُ فِي الْبُخَارِيِّ .

1300. 'Â'ishah (RAA) narrated, 'I said: 'O Messenger of Allâh! Is *Jihâd* prescribed (also) for women?' Allâh's Messenger ﷺ said, **"Yes, a *Jihâd* which is without fighting, it is *<u>H</u>ajj* and *'Umrah*."** Related by Ibn Mâjah.

١٣٠١ ــ وَعَنْ عَبْدِاللَّهِ بْنِ عُمَرَ – رَضِيَ اللَّهُ عَنْهُمَا – قَالَ : جَاءَ رَجُلٌ إِلَى النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَسْتَأْذِنُ فِي الْجِهَادِ ، فَقَالَ : «أَحَيٌّ وَالِدَاكَ ؟» قَالَ : نَعَمْ

قَالَ : «فَفِيهِمَا فَجَاهِدْ». مُتَّفَقٌ عَلَيْهِ .

1301. ´Abdullâh bin ´Umar (RAA) narrated 'A man came to the Messenger of Allâh ﷺ asking his permission to go out for *Jihâd*. The Messenger of Allâh ﷺ asked him, **"Are your parents alive?"** He replied, 'Yes.' The Messenger of Allâh ﷺ then said to him, **"Then your *Jihâd* would be with them** (i.e. in looking after them and being at their service.)**."** Agreed upon.

١٣٠٢ ــ وَلأَحْمَدَ ، وَأَبِي دَاوُدَ مِنْ حَدِيثِ أَبِي سَعِيدٍ نَحْوُهُ ، وَزَادَ : «ارْجِعْ فَاسْتَأْذِنْهُمَا ، فَإِنْ أَذِنَا لَكَ ، وَإِلاَّ فَبِرَّهُمَا» .

1302. Ahmad and Abû Dawûd transmitted a similar hadîth on the authority of Abû Sa´îd, and they added the extra statement, **"Go back and ask for their permission. If they permit you to go, then go for *Jihâd* otherwise, be good to them (look after them)."**[372]

١٣٠٣ ــ وَعَنْ جَرِيرٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «أَنَا بَرِيءٌ مِنْ كُلِّ مُسْلِمٍ يُقِيمُ بَيْنَ الْمُشْرِكِينَ». رَوَاهُ الثَّلاَثَةُ ، وَإِسْنَادُهُ صَحِيحٌ ، وَرَجَّحَ الْبُخَارِيُّ إِرْسَالَهُ .

1303. Jarîr (RAA) narrated that the Messenger of Allâh ﷺ said, **"Any Muslim who stays among the polytheists, does not belong to me."** Related by the three Imâms with a sound chain of narrators. Imâm Al-Bukhârî considered it as *Mursal* (i.e. the companion is absent from the chain of narrators.)

١٣٠٤ ــ وَعَنْ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ هِجْرَةَ بَعْدَ الْفَتْحِ ، وَلَكِنْ جِهَادٌ وَنِيَّةٌ». مُتَّفَقٌ عَلَيْهِ .

1304. Ibn ´Abbâs (RAA) narrated that the Messenger of Allâh

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372- Scholars say that this hadîth is evidence that asking the parent's permission before going for *Jihâd* is necessary. Also that *Jihâd* is not compulsory when both parents or one of them is still alive (especially if they are elderly).

ﷺ said, **"There is no emigration** (from Makkah to al-Madînah) **after the conquest of Makkah, but only *Jihâd* (in the Cause of Allâh) and a good intention."**[373]

١٣٠٥ ــ وَعَنْ أَبِي مُوسَى الأَشْعَرِيِّ قَالَ : قَالَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ : «مَنْ قَاتَلَ لِتَكُونَ كَلِمَةُ اللهِ هِيَ الْعُلْيَا فَهُوَ فِي سَبِيلِ اللهِ». مُتَّفَقٌ عَلَيْهِ .

1305. Abû Mûsâ Al-Ash´arî (RAA) narrated that the Messenger of Allâh ﷺ said, **"The one who fights for Allâh's word to become Superior, is striving in Allâh's Cause."** Agreed upon.

١٣٠٦ ــ وَعَنْ عَبْدِاللهِ بْنِ السَّعْدِيِّ قَالَ : قَالَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ : «لاَ تَنْقَطِعُ الْهِجْرَةُ مَا قُوتِلَ الْعَدُوُّ». رَوَاهُ النَّسَائِيُّ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

1306. ´Abdullâh bin As-Sa´dî narrated that the Messenger of Allâh ﷺ said, **"Emigration** (to fight the enemy) **will continue as long as an enemy is fought."** Related by An-Nasâ'î, and Ibn Hibbân graded it as *Sahîh*.

١٣٠٧ ــ وَعَــنْ نَــافِعٍ قَالَ : «أَغَارَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ : عَلَى بَنِي الْمُصْطَلِقِ ، وَهُمْ غَارُّونَ ، فَقَتَلَ مُقَاتِلَتَهُمْ ، وَسَبَى ذَرَارِيَّهُمْ : حَدَّثَنِي بِذَلِكَ عَبْدُاللهِ بْنُ عُمَرَ». مُتَّفَقٌ عَلَيْهِ ، وَفِيهِ : وَأَصَابَ يَوْمَئِذٍ جُوَيْرِيَةَ .

1307. Nâfi´ (RAA) narrated, 'The Messenger of Allâh ﷺ made an attack on Banî al-Mus-Taliq when they were unaware.[374] He killed the men who were fighting and took the women and children as captives.' ´Abdullâh bin ´Umar told me about it. Agreed upon.

373- The specific *Hijrah* (migration) from Makkah to Madînah is not compulsory anymore after the conquest of Makkah, but still *Jihâd* remains and one could emigrate from his home for its sake. Also emigration with a good intention such as escaping from the land of the disbelievers, travelling to gain knowledge, escaping from *Fitnah* etc..

374- As they were preparing to fight the Prophet ﷺ.

١٣٠٨ ـــ وَعَنْ سُلَيْمَانَ بْنِ بُرَيْدَةَ عَنْ أَبِيهِ عَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ: كَـــانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِذَا أَمَّرَ أَمِيرًا عَلَى جَيْشٍ أَوْ سَرِيَّةٍ أَوْصَاهُ فِي خَاصَّـــتِهِ بِتَقْوَى اللَّهِ، وَبِمَنْ مَعَهُ مِنَ الْمُسْلِمِينَ خَيْرًا، ثُمَّ قَالَ: «اغْزُوا عَلَى اسْمِ اللَّـــهِ، فِي سَبِيلِ اللَّهِ، قَاتِلُوا مَنْ كَفَرَ بِاللَّهِ، اغْزُوا، وَلاَ تَغُلُّوا، وَلاَ تَغْدُرُوا، وَلاَ تُمَـــثِّلُوا، وَلاَ تَقْـــتُلُوا وَلِيدًا، وَإِذَا لَقِيتَ عَدُوَّكَ مِنَ الْمُشْرِكِينَ فَادْعُهُمْ إِلَى ثَلاَثِ خِصَـــالٍ، فَأَيَّتُهُنَّ أَجَابُوكَ إِلَيْهَا فَاقْبَلْ مِنْهُمْ وَكُفَّ عَنْهُمْ: ادْعُهُمْ إِلَى الإِسْلاَمِ فَإِنْ أَجَـــابُوكَ فَاقْبَلْ مِنْهُمْ، ثُمَّ ادْعُهُمْ إِلَى التَّحَوُّلِ مِنْ دَارِهِمْ إِلَى دَارِ الْمُهَاجِرِينَ، فَإِنْ أَبَوْا فَأَخْبِرْهُمْ بِأَنَّهُمْ يَكُونُونَ كَأَعْرَابِ الْمُسْلِمِينَ، وَلاَ يَكُونُ لَهُمْ فِي الْغَنِيمَةِ وَالْفَيْءِ شَيْءٌ إِلاَّ أَنْ يُجَاهِدُوا مَعَ الْمُسْلِمِينَ، فَإِنْ هُمْ أَبَوْا فَاسْأَلْهُمُ الْجِزْيَةَ فَإِنْ هُمْ أَجَابُوكَ فَاقْـــبَلْ مِـــنْهُمْ، فَإِنْ أَبَوْا فَاسْتَعِنْ عَلَيْهِمْ بِاللَّهِ - تَعَالَى - وَقَاتِلْهُمْ، وَإِذَا حَاصَرْتَ أَهْـــلَ حِصْنٍ فَأَرَادُوا أَنْ تَجْعَلَ لَهُمْ ذِمَّةَ اللَّهِ وَذِمَّةَ نَبِيِّهِ، فَلاَ تَفْعَلْ وَلَكِنِ اجْعَلْ لَهُمْ ذِمَّتَكَ، فَإِنَّكُمْ إِنْ تَخْفِرُوا ذِمَمَكُمْ أَهْوَنُ مِنْ أَنْ تَخْفِرُوا ذِمَّةَ اللَّهِ، وَإِذَا أَرَادُوكَ أَنْ تُـــنْزِلَهُمْ عَلَى حُكْمِ اللَّهِ فَلاَ تَفْعَلْ، بَلْ عَلَى حُكْمِكَ فَإِنَّكَ لاَ تَدْرِي أَتُصِيبُ فِيهِمْ حُكْمَ اللَّهِ - تَعَالَى - أَمْ لاَ؟». أَخْرَجَهُ مُسْلِمٌ.

1308. Sulaimân bin Buraidah narrated on the authority of his father on the authority of 'Â'ishah (RAA), 'Whenever Allâh's Messenger ﷺ appointed a commander over an army or a *Sariyah*,[375] he would instruct him to fear Allâh in his own behavior and consider the welfare of the Muslims who were with him. He then used to say ﷺ **"Go out for *Jihâd* in Allâh's name, in the Cause of Allâh, and fight those who disbelieve in Allâh. Go out for *Jihâd* and do not indulge in *Ghulûl*[376], or be treacherous or mutilate (dead bodies) or kill a child. When you meet your**

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375- A small army unit which is sent out by the Prophet ﷺ for *Jihâd*, but without his participation in it.

376- Stealing the war booty before it is distributed according to the laws of *Sharî'ah*. According to the consensus of the scholars it is one of the major sins.

**enemy, or the polytheists, invite them to three courses of action, and accept whichever of them they are willing to agree to, and withhold from doing anything else: Call them to Islâm, and if they agree accept it from them. Then invite them to migrate from their land to the land of the Emigrants (i.e. al-Madînah),[377] if they refuse, then tell them they will be like the Muslim desert Arabs, [378] thus they will have no right in the *Ghanîmah*[379] or *Fai'*[380] unless they participate in *Jihâd* with the Muslims. If they refuse** (to accept Islâm) order **them to pay the *Jizyah*[381] and if they agree, accept it from them. If they refuse,seek Allâh, the Most High's help against them and fight them. When you besiege a fortress, and its people wish you to grant them the protection of Allâh and His Prophet ﷺ, grant them neither but grant them your protection, for it is less serious** (a lesser guilt) **to break your guarantee of protection than to break that of Allâh's. And if they offer to capitulate under the condition that they are subjected to the judgment of Allâh, do not grant them this, but judge according to your own command, for you do not know whether or not you will be able to carry out Allâh, the Most High's Judgment regarding them."** Related by Muslim.

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377- Migration from Makkah to Madînah used to be compulsory before the conquest of Makkah, as it was the land of Islâm up until that time.

378- They are subjected to all the other commands of Allâh like other Muslims, i.e. performing prayer, paying *Zakâh*, paying *Diyah* etc, except that they do not get a share in war booty.

379- *Ghanîmah* refers to the spoils of war that Muslims gain after fighting the disbelievers and defeating them. One fifth of the war booty is taken away and the rest is distributed among the ones who fought. This fifth is spent on the orphans, poor, needy, in the cause of Allâh etc..

380- This term refers to the war-booty which is acquired from the disbelievers without fighting them. No fifth is to be taken away and it is spent on the poor, the orphans etc....

381- Poll tax money paid by non-Muslim citizens who are staying in a Muslim land, in return for their protection, services provided etc..

١٣٠٩ ــ وَعَــنْ كَعْبِ بْنِ مَالِكٍ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ إِذَا أَرَادَ غَزْوَةً وَرَّى بِغَيْرِهَا». مُتَّفَقٌ عَلَيْهِ .

1309. Ka´b bin Mâlik (RAA) narrated that whenever the Messenger of Allâh ﷺ intended to go out on a battle, he would pretend to head in a different destination. Agreed upon.

١٣١٠ ــ وَعَــنْ مَعْقِلِ بْنِ النُّعْمَانِ بْنِ مُقَرِّنٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «شَهِدْتُ رَسُــولَ اللَّــهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِذَا لَمْ يُقَاتِلْ أَوَّلَ النَّهَارِ أَخَّرَ الْقِتَالَ حَتَّى تَزُولَ الشَّمْسُ ، وَتَهُبَّ الرِّيَاحُ ، وَيَنْزِلَ النَّصْرُ». رَوَاهُ أَحْمَدُ وَالثَّلاثَةُ ، وَصَحَّحَهُ الْحَاكِمُ ، وَأَصْلُهُ فِي الْبُخَارِيِّ .

1310. Ma´qil bin An-Nu´mân bin Muqarrin (RAA) narrated, 'I witnessed (battles with) Allâh's Messenger ﷺ and if he did not start fighting at the beginning of the day, he delayed the fighting till the sun had passed the meridian, and the wind blew[382] and victory descended from Allâh." Related by Ahmad and the three Imâms. Al-Hâkim graded it as Sahîh.

١٣١١ ــ وَعَنْ الصَّعْبِ بْنِ جَثَّامَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : سُئِلَ رَسُولُ اللَّهِ صَلَّى اللَّــهُ عَلَــيْهِ وَسَــلَّمَ عَــنْ أَهْلِ الدَّارِ مِنَ الْمُشْرِكِينَ يُبَيَّتُونَ ، فَيُصِيبُونَ مِنْ نِسَائِهِمْ وَذَرَارِيِّهِمْ ، فَقَالَ : «هُمْ مِنْهُمْ». مُتَّفَقٌ عَلَيْهِ .

1311. As-Sa´b bin Jath-thâmah (RAA) narrated, 'The Messenger of Allâh ﷺ was asked about the polytheists whose land was attacked at night with the probability that some of their women

382- If the Messenger of Allâh ﷺ did not start the fighting at the break of day, he would defer it to the *Dhuhr* prayer time to meet the blessing of Allâh which descended on the believers during the prayer time. As for the wind, scholars say that Muslims were granted victory at the battle of the Trench (*al-Ahzâbi*) by the blowing of the wind, by the will of Allâh. Therefore, it is believed to be one of the factors which brings about victory, and the wind usually blows after the sun had passed the meridian.

and offspring were killed or hurt.' He said ﷺ, **"They are from among them."**[383] Agreed upon.

١٣١٢ — وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ لِرَجُلٍ تَبِعَهُ فِي يَوْمِ بَدْرٍ : «ارْجِعْ فَلَنْ أَسْتَعِينَ بِمُشْرِكٍ». رَوَاهُ مُسْلِمٌ .

1312. 'Â'ishah (RAA) narrated that the Messenger of Allâh ﷺ said to a man who followed him on the day of the Battle of Badr, **"Go back I will not seek help from a *Mushrik* (polytheist)."**[384] Reported by Muslim.

١٣١٣ — وَعَنْ ابْنِ عُمَرَ : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ رَأَى امْرَأَةً مَقْتُولَةً فِي بَعْضِ مَغَازِيهِ ، فَأَنْكَرَ قَتْلَ النِّسَاءِ وَالصِّبْيَانِ». مُتَّفَقٌ عَلَيْهِ .

1313. Ibn 'Umar (RAA) narrated that the Messenger of Allâh ﷺ saw a woman who was killed in one of his expeditions, so he disapproved the killing of women and children. Agreed upon.

١٣١٤ — وَعَنْ سَمُرَةَ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «اقْتُلُوا شُيُوخَ الْمُشْرِكِينَ وَاسْتَبْقُوا شَرْخَهُمْ». رَوَاهُ أَبُو دَاوُدَ ، وَصَحَّحَهُ التِّرْمِذِيُّ .

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383- It is not meant that women and children are killed intentionally, but if they were killed by accident then the Messenger of Allâh ﷺ means they are not to be blamed.

384- This man who followed the Prophet ﷺ was a brave and strong man, but the Messenger of Allâh wanted him to embrace Islâm first as he could see that the man had a strong desire to become a Muslim. In another version of the hadîth it says that when he became a Muslim the Messenger of Allâh ﷺ gave him permission to fight with them. Some scholars say that this hadîth is evidence that asking the assistance of a non-Muslim is not allowed in war, but other narrations prove that the Prophet sought the help of Safwân bin Umaiyah on the Day of Hunain when he was still a polytheist, and he also asked the assistance of some other polytheists at the same battle hoping to bring their hearts closer to Islâm, as he gave them a share of the war booty. That is why some scholars adopt the opinion that it was first prohibited to seek the help of polytheists during a war, but later on it was allowed (when the power of Islâm became stronger). Ash-Shâfi'i is of the opinion that if the polytheist has a good opinion concerning the tactics of war etc, it is allowed to seek his assistance, otherwise it is disliked.

1314. Samurah (RAA) narrated that the Messenger of Allâh ﷺ said, **"Kill the mature men[385] of the polytheists but spare their children."** Related by Abû Dawûd and At-Tirmidhî graded it as *Sahîh*.

١٣١٥ ـــ وَعَـــنْ عَلِـــيٍّ - رَضِـــيَ اللَّـــهُ عَنْهُ - :«أَنَّهُمْ تَبَارَزُوا يَوْمَ بَدْرٍ». رَوَاهُ الْبُخَارِيُّ ، وَأَخْرَجَهُ أَبُو دَاوُدَ مُطَوَّلاً .

1315. 'Alî (RAA) narrated that they (the Muslims and the polytheists)engaged in duel combat on the Day of Badr. Related by Al-Bukhârî and Abû Dawûd reported it as part of a long hadîth.

١٣١٦ ـــ وَعَـــنْ أَبِي أَيُّوبَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «إِنَّمَا أُنْزِلَتْ هَذِهِ الآيَةُ فِينَا مَعْشَرَ الأَنْصَارِ ، يَعْنِي قَوْلَهُ - تَعَالَى - : {وَلاَ تُلْقُوا بِأَيْدِيكُمْ إِلَى التَّهْلُكَةِ} قَالَهُ رَدًّا عَلَـــى مَـــنْ أَنْكَرَ عَلَى مَنْ حَمَلَ عَلَى صَفِّ الرُّومِ حَتَّى دَخَلَ فِيهِمْ». رَوَاهُ الثَّلاَثَةُ ، وَصَحَّحَهُ التِّرْمِذِيُّ ، وَابْنُ حِبَّانَ ، وَالْحَاكِمُ .

1316. Abû Aiyûb (RAA) narrated that this verse was revealed concerning us *(al-Ansâr).'* He was referring to the verse, ***"And do not throw yourselves into destruction,' (2:195).*** Abû Aiyûb said that to answer those who disapproved of the action of those who attacked the Romans till they were amidst their army.'[386] Related by the three Imâms. At-Tirmidhî, Ibn Hibbân and Al-Hâkim graded it as *Sahîh*.

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385- He means ﷺ the grown up and strong men who are able to fight.

386- When the Muslims confronted the Romans at Constantinople, a Muslim fighter attacked the lines of the Romans until he was in their midst, and then returned. People then cried, 'He is throwing himself into destruction.' Abû Ayûb then told them that they are misinterpreting the verse which was revealed concerning the *Ansâr*, when Allâh granted them victory they said to themselves secretly our property was lost, so why don't we stay here to take care of our property and regain what we have lost (and leave *Jihâd* in the Cause of Allâh). Allâh, the Almighty then revealed this verse to show them that the real destruction occurs by staying back in their dwellings and not spending their wealth in the Cause of Allâh.

١٣١٧ ـــ وَعَنْ ابْنِ عُمَرَ – رَضِيَ اللَّهُ عَنْهُمَا – قَالَ : «حَرَّقَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ نَخْلَ بَنِي النَّضِيرِ وَقَطَّعَ». مُتَّفَقٌ عَلَيْهِ .

1317. Ibn 'Umar narrated that the Messenger of Allâh ﷺ burnt the palm trees of Banû an-Nadîr[387] and cut them down. Agreed upon.

١٣١٨ ـــ وَعَنْ عُبَادَةَ بْنِ الصَّامِتِ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ تَغُلُّوا فَإِنَّ الْغُلُولَ نَارٌ وَعَارٌ عَلَى أَصْحَابِهِ فِي الدُّنْيَا وَالآخِرَةِ». رَوَاهُ أَحْمَدُ ، وَالنَّسَائِيُّ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

1318. 'Ubâdah bin as-Sâmit (RAA) narrated that the Messenger of Allâh ﷺ said, **"Do not be dishonest** (and treacherous) **about the war booty** (i.e. steal from it before it is divided legally), **as *Ghulûl* will be like fire** (for the ones who got involved in it) **and a cause of disgrace to those who are guilty of it in this world and in the Hereafter."** Related by Ahmad, and An-Nasâ'î, and Ibn Hibbân graded it as *Sahîh*.

١٣١٩ ـــ وَعَنْ عَوْفِ بْنِ مَالِكٍ – رَضِيَ اللَّهُ عَنْهُ – : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَضَى بِالسَّلَبِ لِلْمُقَاتِلِ». رَوَاهُ أَبُو دَاوُدَ ، وَأَصْلُهُ عِنْدَ مُسْلِمٍ .

1319. 'Auf bin Mâlik (RAA) narrated, 'The Messenger of Allâh ﷺ judged that the belongings taken from the (non-Muslim enemy) killed soldier in a war, are to be given to the one who killed him.' Related by Abû Dawûd. Muslim reported it as part of a long hadîth.

١٣٢٠ ـــ وَعَنْ عَبْدِالرَّحْمَنِ بْنِ عَوْفٍ – رَضِيَ اللَّهُ عَنْهُ – فِي قِصَّةِ قَتْلِ أَبِي جَهْلٍ قَالَ : فَابْتَدَرَاهُ بِسَيْفَيْهِمَا حَتَّى قَتَلاَهُ ، ثُمَّ انْصَرَفَا إِلَى رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَأَخْبَرَاهُ ، فَقَالَ : «أَيُّكُمَا قَتَلَهُ ؟ هَلْ مَسَحْتُمَا سَيْفَيْكُمَا ؟» قَالاَ : لاَ . قَالَ :

387- This incident took place during the siege of Banû an-Nadîr in Madînah.

فَنَظَرَ فِيهِمَا ، فَقَالَ : «كِلَاكُمَا قَتَلَهُ». فَقَضَى صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بِسَلَبِهِ لِمُعَاذِ بْنِ عَمْرِو بْنِ الْجَمُوحِ . مُتَّفَقٌ عَلَيْهِ .

1320. ´Abdur Rahmân bin ´Auf (RAA) narrated regarding the story of the killing of Abû Jahl,'..they both[388] hastened to him with their swords till they killed him. Afterwards, they went to the Prophet ﷺ and informed him (of what they had done). The Messenger of Allâh ﷺ asked them, **"Which of you killed him? Have you wiped your swords?"** They said: 'No.' The Prophet ﷺ then looked at the swords and said, **"Both of you killed him."** He then ordained that the belongings (weapons, shields etc..) of Abû Jahl should go to Mu´âdh bin ´Amro bin al-Jamûh.' [389] Agreed upon.

١٣٢١ ـــ وَعَنْ مَكْحُولٍ – رَضِيَ اللَّهُ عَنْهُ – : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ نَصَبَ الْمَنْجَنِيقَ عَلَى أَهْلِ الطَّائِفِ». أَخْرَجَهُ أَبُو دَاوُدَ فِي الْمَرَاسِيلِ ، وَرِجَالُهُ ثِقَاتٌ ، وَوَصَلَهُ الْعُقَيْلِيُّ بِإِسْنَادٍ ضَعِيفٍ عَنْ عَلِيٍّ – رَضِيَ اللَّهُ عَنْهُ – .

1321. Makhûl (RAA) narrated, 'The Messenger of Allâh ﷺ set up the ballista while attacking the people of at-Tâ'if.' Related by Abû Dawûd with a trustworthy chain of narrators, but it is hadîth *Mursal*.

١٣٢٢ ـــ وَعَنْ أَنَسٍ – رَضِيَ اللَّهُ عَنْهُ – أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ دَخَلَ مَكَّةَ وَعَلَى رَأْسِهِ الْمِغْفَرُ ، فَلَمَّا نَزَعَهُ جَاءَهُ رَجُلٌ ، فَقَالَ : ابْنُ خَطَلٍ مُتَعَلِّقٌ بِأَسْتَارِ الْكَعْبَةِ . فَقَالَ : «اقْتُلُوهُ». مُتَّفَقٌ عَلَيْهِ .

1322. Anas (RAA) narrated that the Messenger of Allâh ﷺ entered Makkah with a helmet on his head, and when he took it off, a man came to him and said, 'Ibn Khattal is hanging on to the

388- The two sons of al-´Afrâ', who were teenagers at the time.

389- The Messenger of Allâh ﷺ commanded that the booty be given to Mu´âdh –as scholars say- because he found that it was him who cut off Abû Jahl's leg with a fatal blow, which eventually killed him.

curtains of the Ka'bah.' The Prophet ﷺ thereupon said, **"Kill him."**[390] Agreed upon.

١٣٢٣ ــ وَعَــنْ سَعِيدِ بْنِ جُبَيْرٍ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ رَسُولَ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَتَلَ يَوْمَ بَدْرٍ ثَلاثَةً صَبْرًا». أَخْرَجَهُ أَبُو دَاوُدَ فِي الْمَرَاسِيلِ ، وَرِجَالُهُ ثِقَاتٌ

1323. Sa'îd bin Jubair (RAA) narrated, 'The Messenger of Allâh ﷺ killed three men[391] on the day of Badr while they were in bonds (by throwing arrows at them until they died).' Related by Abû Dawûd.

١٣٢٤ ــ وَعَنْ عِمْرَانَ بْنِ حُصَيْنٍ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ رَسُولَ اللهِ صَلَّى اللَّهُ عَلَـيْهِ وَسَـلَّمَ فَـدَى رَجُلَـيْنِ مِنَ الْمُسْلِمِينَ بِرَجُلٍ مُشْرِكٍ». أَخْرَجَهُ التِّرْمِذِيُّ ، وَصَحَّحَهُ ، وَأَصْلُهُ عِنْدَ مُسْلِمٍ .

1324. 'Imrân bin Husain (RAA) narrated that the Prophet ﷺ exchanged two Muslim men from captivity for one polytheist." Related by At-Tirmidhî.

١٣٢٥ ــ وَعَنْ صَخْرِ بْنِ الْعَيْلَةِ أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «إِنَّ الْقَوْمَ إِذَا أَسْلَمُوا أَحْرَزُوا دِمَاءَهُمْ وَأَمْوَالَهُمْ». أَخْرَجَهُ أَبُو دَاوُدَ ، وَرِجَالُهُ مُوَثَّقُونَ .

1325. Sakhr bin Al-'Ailah (RAA) narrated that the Messenger of Allâh ﷺ said, **"If the people (polytheists) accept Islâm they will protect their blood and property."** Related by Abû Dawûd.

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390- Ibn Khattal accepted Islâm at first and then the Messenger of Allâh ﷺ sent him along with a man from the *Ansâr* to collect *Zakâh*. Ibn Khattal then aposticized and murdered his *Ansârî* companion and fled to Makkah with the *Zakâh* money. He also had two slave women who used to sing slanderous songs about the Prophet ﷺ. After the conquest of Makkâh Ibn Khattal tried to take refuge in the premises of the Ka'bah by hanging onto its curtains, but the Prophet ﷺ ordered his companions to kill him along with his slave women.

391- The three men were Tu'aimah bin 'Adî, An-Nadr bin al-Hârith and 'Uqbah bin Abî Mu'ait who threw the entrails of a she-camel on his back while he was performing his prayer by the Ka'bah and they all used to harm the Prophet ﷺ badly when he was still in Makkah.

١٣٢٦ ــ وَعَنْ جُبَيْرِ بْنِ مُطْعِمٍ - رَضِيَ اللّٰهُ عَنْهُ - أَنَّ النَّبِيَّ صَلَّى اللّٰهُ عَلَيْهِ وَسَلَّمَ قَــالَ فِي أُسَارَى بَدْرٍ : «لَوْ كَانَ الْمُطْعِمُ بْنُ عَدِيٍّ حَيًّا ثُمَّ كَلَّمَنِي فِي هَؤُلَاءِ النَّتْنَى لَتَرَكْتُهُمْ لَهُ». رَوَاهُ الْبُخَارِيُّ .

1326. Jubair bin Muṯ´im (RAA) narrated, 'The Messenger of Allâh ﷺ said concerning the prisoners of war taken at Badr, **"If al-Muṯ´am bin ´Adî had been alive and spoken to me about those filthy ones**(as they were polytheists)**, I would have freed them for him."**[392] Related by Al-Bukhârî.

١٣٢٧ ــ وَعَــنْ أَبِي سَعِيدٍ الْخُدْرِيِّ - رَضِيَ اللّٰهُ عَنْهُ - قَالَ : «أَصَبْنَا سَبَايَا يَوْمَ أَوْطَاسٍ لَهُنَّ أَزْوَاجٌ ، فَتَحَرَّجُوا ، فَأَنْزَلَ اللّٰهُ - تَعَالَى - : {وَالْمُحْصَنَاتُ مِنَ النِّسَاءِ إِلاَّ مَا مَلَكَتْ أَيْمَانُكُمْ} الآيَةَ». أَخْرَجَهُ مُسْلِمٌ .

1327. Abû Sa´îd al-Khudrî (RAA) narrated, 'On the Day (the battle) of Auṯâs, we took women captives who had husbands. The Companions felt uneasy to have any sexual relation with them. Then Allâh, the Most High revealed the verse, ***"And women already married (are prohibited for you) except for those whom you possess.'***[393] ***(4:24).***

١٣٢٨ ــ وَعَنْ ابْنِ عُمَرَ - رَضِيَ اللّٰهُ عَنْهُمَا - قَالَ : «بَعَثَ رَسُولُ اللّٰهِ صَلَّى اللّٰهُ عَلَيْهِ وَسَلَّمَ سَرِيَّةً - وَأَنَا فِيهِمْ - ، قِبَلَ نَجْدٍ ، فَغَنِمُوا إِبِلاً كَثِيرَةً ، فَكَانَتْ سُهْمَانُهُمْ اثْنَيْ عَشَرَ بَعِيرًا ، وَنُفِّلُوا بَعِيرًا بَعِيرًا». مُتَّفَقٌ عَلَيْهِ .

1328. Ibn ´Umar (RAA) narrated, 'The Messenger of Allâh ﷺ

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392- When the Messenger of Allâh ﷺ returned from at-Ṯâ'if, Muṯ´im bin ´Adî and his sons gave him their protection to enter Makkah safely and announced in Makkah that he will enter Makkah under his protection and that he may pray as he wishes by the Ka´bah.

393- When a polytheist woman is taken as a captive her previous marriage is immediately annulled. If this woman is pregnant, it is not allowed to have intercourse with her until she delivers her child. If she is not pregnant, then she must wait for one menstrual cycle before her master can have sexual intercourse with her.

sent a *Sariyah* [394] to Najd, and I was among them. They got many camels as spoils and each one's share was twelve camels, and they were given an additional camel each.' Agreed upon.

١٣٢٩ ــ وَعَنْهُ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : «قَسَمَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَوْمَ خَيْبَرَ لِلْفَرَسِ سَهْمَيْنِ وَلِلرَّاجِلِ سَهْمًا». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِلْبُخَارِيِّ .

1329. Ibn ´Umar (RAA) narrated, 'On the Day of Khaibar, the Messenger of Allâh ﷺ allotted two shares for a horse, and one share (from the war booty) for the fighter."[395] Agreed upon and the wording is from Al-Bukhârî'.

١٣٣٠ ــ وَلأَبِي دَاوُدَ : «أَسْهَمَ لِرَجُلٍ وَلِفَرَسِهِ ثَلاَثَةَ أَسْهُمٍ : سَهْمَيْنِ لِفَرَسِهِ وَسَهْمًا لَهُ».

1330. Abû Dawûd also reported, 'He allotted three shares for a man and his horse, two for his horse and one for him.'

١٣٣١ ــ وَعَنْ مَعْنِ بْنِ يَزِيدَ قَالَ : سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ : «لاَ نَفَلَ إِلاَّ بَعْدَ الْخُمُسِ». رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَصَحَّحَهُ الطَّحَاوِيُّ .

1331. Ma´n bin Yazîd narrated, 'I heard the Messenger of Allâh ﷺ say, **"Additional booties** (extra to the allotted share) **are to be distributed only after the fifth[396] has been kept aside."** Related by Ahmad and Abû Dawûd. At-Tahâwî graded it as *Sahîh*.

١٣٣٢ ــ وَعَنْ حَبِيبِ بْنِ مَسْلَمَةَ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : «شَهِدْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ نَفَّلَ الرُّبُعَ فِي الْبَدْأَةِ وَالثُّلُثَ فِي الرَّجْعَةِ». رَوَاهُ أَبُو دَاوُدَ ، وَصَحَّحَهُ ابْنُ الْجَارُودِ ، وَابْنُ حِبَّانَ ، وَالْحَاكِمُ .

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394- A small army unit sent by the Prophet ﷺ for *Jihâd*.

395- Which means that the rider gets one share, plus two shares which are allotted for his horse as evidenced by the following hadîth. As for the fighter who is not riding, he gets one share.

396- The fifth which is taken away is to be spent on the poor, the orphans etc.

1332. *Habîb* bin Maslamah (RAA) narrated, 'I witnessed the Messenger of Allâh ﷺ give a quarter (of the war spoils) as an additional booty (to a *Sariyah*) when they gained booty on their way out to the fight. He also gave a third (of the war spoils) as an additional booty when they gained it on their way back.'[397] Related by Abû Dawûd, Ibn al-Gârûd, Ibn Hibbân and Al-Hâkim graded it as *Sahîh*.

١٣٣٣ ــ وَعَنْ ابْنِ عُمَرَ - رَضِيَ اللّٰهُ عَنْهُمَا - قَالَ : «كَانَ رَسُولُ اللّٰهِ صَلَّى اللّٰهُ عَلَيْهِ وَسَلَّمَ يُنَفِّلُ بَعْضَ مَنْ يَبْعَثُ مِنَ السَّرَايَا لأَنْفُسِهِمْ خَاصَّةً ، سِوَى قِسْمَةِ عَامَّةِ الْجَيْشِ». مُتَّفَقٌ عَلَيْهِ .

1333. Ibn 'Umar (RAA) narrated, 'The Messenger of Allâh ﷺ used to give some (members) of the *Sariyah* he sent out (i.e. some of the soldiers), additional booties especially for them,[398] apart from the shares which are given to the whole army.' Agreed upon.

١٣٣٤ ــ وَعَنْهُ - رَضِيَ اللّٰهُ عَنْهُ - قَالَ : «كُنَّا نُصِيبُ فِي مَغَازِينَا الْعَسَلَ وَالْعِنَبَ ، فَنَأْكُلُهُ وَلاَ نَرْفَعُهُ». رَوَاهُ الْبُخَارِيُّ ، وَلأَبِي دَاوُدَ : فَلَمْ يُؤْخَذْ مِنْهُ الْخُمُسُ. وَصَحَّحَهُ ابْنُ حِبَّانَ .

1334. Ibn 'Umar (RAA) narrated, 'On our expeditions, we used to get honey and grapes (as spoils)[399] and eat them while on our military expeditions, without bringing them to the Prophet ﷺ (or whoever is in charge of distributing the spoils).' Related by Al-Bukhârî. Abû Dawûd narrated, 'The fifth was not taken from them.' Ibn Hibbân graded it as *Sahîh*.

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397- The Messenger of Allâh ﷺ gave them more if the booty is gained on the way back, as the enemy is more on the alert and the fight would be more fierce.

398- This was given as an additional reward for something special they did.

399- He means that they did not need to take the permission of those who are in charge of distributing the war booty as they are allowed to take the food which is usually eaten either for themselves or for their animals

١٣٣٥ ــ وَعَــنْ عَــبْدِاللَّهِ بْنِ أَوْفَى - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «أَصَبْنَا طَعَامًا يَوْمَ خَيْــبَرَ ، فَكَــانَ الرَّجُلُ يَجِيءُ فَيَأْخُذُ مِنْهُ مِقْدَارَ مَا يَكْفِيهِ ، ثُمَّ يَنْصَرِفُ». أَخْرَجَهُ أَبُو دَاوُدَ ، وَصَحَّحَهُ ابْنُ الْجَارُودِ ، وَالْحَاكِمُ .

1335. 'Abdullâh bin Abî Aufâ (RAA) narrated, 'On the Day of Khaibar, we got some food (as spoils). The man would come and take as much as he needed and then go away.' Related by Abû Dawûd. Ibn al-Gârûd and Al-Hâkim graded it as *Sahîh*.

١٣٣٦ ــ وَعَــنْ رُوَيْفِعِ بْنِ ثَابِتٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّــهُ عَلَــيْهِ وَسَــلَّمَ : «مَنْ كَانَ يُؤْمِنُ بِاللَّهِ وَالْيَوْمِ الآخِرِ فَلاَ يَرْكَبْ دَابَّةً مِنْ فَيْءِ الْمُسْلِمِينَ ، حَتَّى إِذَا أَعْجَفَهَا رَدَّهَا فِيهِ ، وَلاَ يَلْبَسْ ثَوْبًا مِنْ فَيْءِ الْمُسْلِمِينَ حَتَّى إِذَا أَخْلَقَهُ رَدَّهُ فِيهِ». أَخْرَجَهُ أَبُو دَاوُدَ ، وَالدَّارِمِيُّ ، وَرِجَالُهُ لاَ بَأْسَ بِهِمْ .

1336. Ruaifi' bin Thâbit (RAA) narrated that the Messenger of Allâh ﷺ said, **"He who believes in Allâh and the Hereafter must not ride on an animal belonging to the booty of the Muslims and put it back when he has emaciated it, or wear a garment belonging to the booty of the Muslims and put it back when it is worn."** Related by Abû Dawûd and Ad-Dârimî.

١٣٣٧ ــ وَعَــنْ أَبِي عُبَيْدَةَ بْنِ الْجَرَّاحِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : سَمِعْتُ رَسُولَ اللَّــهِ صَــلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ : «يُجِيرُ عَلَى الْمُسْلِمِينَ بَعْضُهُمْ». أَخْرَجَهُ ابْنُ أَبِي شَيْبَةَ ، وَأَحْمَدُ ، وَفِي إِسْنَادِهِ ضَعْفٌ .

1337. Abû 'Ubaidah al-Jarrâh (RAA) narrated, 'I heard the Messenger of Allâh ﷺ say, **"Muslims must respect the protection granted** (to a non-Muslim) **by other Muslims."**[400] Related by Ibn Abî Shaibah and Ahmad with a weakness in its chain of narrators.

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400- This hadîth (and the following ones) provide evidence that a Muslim may give a covenant of protection to a non-Muslim (give him asylum) whether this Muslim is a man or a woman, old or young, rich or poor and it becomes an obligation on all Muslims to respect it.

١٣٣٨ ـــ وَلِلطَّيَالِسِي مِنْ حَدِيثِ عَمْرِو بْنِ الْعَاصِ :«يَجِيرُ عَلَى الْمُسْلِمِينَ أَدْنَاهُمْ»

1338. At-Taiâlisî transmitted on the authority of ʿAmro bin al-ʿÂs (RAA), 'The right of giving protection to non-Muslims is extended to the most humble of the believers (and all Muslims must respect it and give him support).'

١٣٣٩ ـــ وَفِي الصَّحِيحَيْنِ عَنْ عَلِيٍّ - رَضِيَ اللَّهُ عَنْهُ - : «ذِمَّةُ الْمُسْلِمِينَ وَاحِدَةٌ يَسْعَى بِهَا أَدْنَاهُمْ». زَادَ ابْنُ مَاجَهْ مِنْ وَجْهٍ آخَرَ : «وَيُجِيرُ عَلَيْهِمْ أَقْصَاهُمْ».

1339. Al-Bukhârî and Muslim transmitted on the authority of ʿAlî (RAA),'The protection granted by one Muslim is like one given by them all, and this right is extended to the most humble of them.' Ibn Mâjah narrated with a different chain of narrators,'And the most eminent gives protection on their behalf.'

١٣٤٠ ـــ وَفِي الصَّحِيحَيْنِ مِنْ حَدِيثِ أُمِّ هَانِيءٍ : «قَدْ أَجَرْنَا مَنْ أَجَرْتِ».

1340. Al-Bukhârî and Muslim transmitted in the hadîth of Umm Hâni', **"We have given protection to whom you have granted (protection)."**[401]

١٣٤١ ـــ وَعَنْ عُمَرَ أَنَّهُ سَمِعَ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ : «لأُخْرِجَنَّ الْيَهُودَ وَالنَّصَارَى مِنْ جَزِيرَةِ الْعَرَبِ ، حَتَّى لاَ أَدَعَ إِلاَّ مُسْلِمًا». رَوَاهُ مُسْلِمٌ .

1341. ʿUmar (RAA) narrated, 'I heard the Messenger of Allâh ﷺ say, **"I will certainly expel the Jews and the Christians from the Arabian Peninsula so as to leave only Muslims in it."**[402] Reported by Muslim.

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401- Umm Hâni' was the daughter of Abû Tâlib and the sister of ʿAlî bin Abî Tâlib (RAA). She became a Muslim on the conquest of Makkah. The hadîth refers to two men of her family to whom she gave protection on the con-quest of Makkah and her brother ʿAlî did not want to accept it, but the Messenger of Allâh ﷺ accepted her protection.

402- Scholars say that polytheists and those adopting other religions can travel by this area to pass through, except for Makkah and Madînah and the sanctuary around each of them. What is really meant here is that they should not get the nationality of this land, in modern standards, rather they may stay temporarily for work or trade. In another had-

١٣٤٢ ـــ وَعَنْهُ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «كَانَتْ أَمْوَالُ بَنِي النَّضِيرِ مِمَّا أَفَاءَ اللَّهُ عَلَى رَسُولِهِ ، مِمَّا لَمْ يُوجِفْ عَلَيْهِ الْمُسْلِمُونَ بِخَيْلٍ وَلاَ رِكَابٍ ، فَكَانَتْ لِلنَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ خَاصَّةً ، فَكَانَ يُنْفِقُ عَلَى أَهْلِهِ نَفَقَةَ سَنَةٍ ، وَمَا بَقِيَ يَجْعَلُهُ فِي الْكُرَاعِ وَالسِّلاَحِ ، عُدَّةً فِي سَبِيلِ اللَّهِ - عَزَّ وَجَلَّ -». مُتَّفَقٌ عَلَيْهِ .

1342. 'Umar (RAA) narrated, 'The wealth of Banû an-Nadîr (one of the Jewish tribes) was part of what Allâh bestowed on His Messenger ﷺ, and which the Muslims had not ridden on horses or camels to get (i.e. they did not have to fight); so they belonged specially to the Prophet ﷺ who would give his family their sustenance for a year, then applied what remained for horses and weapons and equipment in the Path of Allâh, Who is Great and Glorious." Agreed upon.

١٣٤٣ ـــ وَعَـــنْ مُعَاذِ بْنِ جَبَلٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «غَزَوْنَا مَعَ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ خَيْبَرَ ، فَأَصَبْنَا فِيهَا غَنَمًا ، فَقَسَمَ فِينَا رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ طَائِفَةً ، وَجَعَلَ بَقِيَّتَهَا فِي الْمَغْنَمِ». رَوَاهُ أَبُو دَاوُدَ ، وَرِجَالُهُ لا بَأْسَ بِهِمْ .

1343. Mu'âdh bin Jabal (RAA) narrated, 'We went on an expedition to Khaibar along with the Prophet ﷺ and we got some sheep (as spoils). Then Allâh's Messenger ﷺ divided some of them among us and divided the rest with the other war booty." Related by Abû Dawûd on the authority of reasonably reliable men.

١٣٤٤ ـــ وَعَـــنْ أَبِي رَافِعٍ قَالَ : قَالَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِنِّي لاَ أَخِيسُ بِالْعَهْدِ وَلاَ أَحْبِسُ الرُّسُلَ». رَوَاهُ أَبُو دَاوُدَ ، وَالنَّسَائِيُّ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

1344. Abû Râfi' (RAA) narrated that the Messenger of Allâh ﷺ said, **"I do not break a covenant or imprison messengers."** Related by Abû Dawûd and An-Nasâ'î. Ibn Hibbân graded it as *Sahîh*.

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ith the Messenger of Allâh ﷺ said that no two beliefs can coexist in the Arabian Peninsula, meaning that no other religions should be established there or have places of worship for this land to remain pure with the call to the Unity of Allâh, the Almighty.

١٣٤٥ ــ وَعَــنْ أَبِــي هُرَيْــرَةَ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ رَسُولَ اللَّه صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «أَيُّمَا قَرْيَةٍ أَتَيْتُمُوهَا فَأَقَمْتُمْ فِيهَا فَسَهْمُكُمْ فِيهَا ، وَأَيُّمَا قَرْيَةٍ عَصَتِ اللَّه وَرَسُولَهُ ، فَإِنَّ خُمُسَهَا لِلَّهِ وَرَسُولِهِ ، ثُمَّ هِيَ لَكُمْ». رَوَاهُ مُسْلِمٌ .

1345. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"Whichever town you take peacefully** (they surrendered without fighting)**, and stay therein, you have a share in it** (in whatever is obtained from it); **and whichever town disobeys Allâh and His Messenger ﷺ, a fifth of (its booty) goes to Allâh and His Messenger and what remains is yours."** Related by Muslim.

## بَــابُ الْجِــزْيَــةِ وَالْهُــدْنَــةِ

## *Chapter II: Jizyah[403] and Truces*

١٣٤٦ ــ عَــنْ عَبْدِالرَّحْمَنِ بْنِ عَوْفٍ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَخَذَهَا - يَعْنِي الْجِزْيَةَ - مِنْ مَجُوسِ هَجَرَ». رَوَاهُ الْبُخَارِيُّ ، وَلَهُ طَرِيقٌ فِي الْمُوَطَّإِ فِيهَا انْقِطَاعٌ .

1346. 'Abdur Rahmân bin 'Auf (RAA) narrated, 'The Messenger of Allâh ﷺ took the *Jizyah* from the Magians of *Hajar*.' Related by Al-Bukhârî.

١٣٤٧ ــ وَعَــنْ عَاصِمِ بْنِ عُمَرَ عَنْ أَنَسٍ ، وَعَنْ عُثْمَانَ بْنِ أَبِي سُلَيْمَانَ - رَضِيَ اللَّــهُ عَــنْهُمْ - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بَعَثَ خَالِدَ بْنَ الْوَلِيدِ إِلَى أُكَيْدِرَ دُومَــةِ الْجَــنْدَلِ ، فَــأَخَذُوهُ فَــأَتَوْا بِــهِ ، فَحَقَنَ دَمَهُ ، وَصَالَحَهُ عَلَى الْجِزْيَةِ». رَوَاهُ أَبُو دَاوُدَ .

1347. 'Âsim bin 'Umar narrated on the authority of Anas and 'Uthmân bin Abî Sulaimân (RAA),'The Messenger of Allâh ﷺ sent

403- Poll tax money paid by non-Muslims citizens who are staying in a Muslim land, in return for their protection, services provided etc..

Khâlid bin al-Walîd to Ukaidir of Dawmat al-Jandal[404] and they seized him and brought him to the Prophet ﷺ. The Messenger of Allâh spared his life and made peace with him on the condition that he should pay *Jizyah*.'[405] Related by Abû Dawûd.

١٣٤٨ ــ وَعَــنْ مُعَاذِ بْنِ جَبَلٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «بَعَثَنِي النَّبِيُّ صَلَّى اللَّهُ عَلَــيْهِ وَسَلَّمَ إِلَى الْيَمَنِ ، فَأَمَرَنِي أَنْ آخُذَ مِنْ كُلِّ حَالِمٍ دِينَارًا ، أَوْ عِدْلَهُ مَعَافِرِيًّا». أَخْرَجَهُ الثَّلاثَةُ ، وَصَحَّحَهُ ابْنُ حِبَّانَ ، وَالْحَاكِمُ .

1348. Mu'âdh bin Jabal (RAA) narrated, 'The Messenger of Allâh ﷺ sent me to Yemen and he commanded me to take the *Jizyah* from everyone who has reached the age of puberty – one Dînâr- or its equivalent in *Ma'âfirî* (garments of Yemeni origin).' Related by the three Imâms. Ibn Hibbân and Al-Hâkim graded it as *Sahîh*.

١٣٤٩ ــ وَعَنْ عَائِذِ بْنِ عَمْرٍو الْمُزَنِيِّ - رَضِيَ اللَّهُ عَنْهُ - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «الإِسْلاَمُ يَعْلُو وَلاَ يُعْلَى». أَخْرَجَهُ الدَّارَقُطْنِيُّ .

1349. 'Â'idh bin 'Amro al-Muzanî (RAA) narrated that the Messenger of Allâh ﷺ said, **"Islâm is always superior and should never be surpassed."** Related by Ad-Dâraqutnî.

١٣٥٠ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لاَ تَبْدَءُوا الْيَهُودَ وَالنَّصَارَى بِالسَّلاَمِ ، وَإِذَا لَقِيتُمْ أَحَدَهُمْ فِي طَرِيقٍ فَاضْطَرُّوهُ إِلَى أَضْيَقِهِ». رَوَاهُ مُسْلِمٌ .

1350. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"Do not start by saluting the Jews and the Ch-**

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404- Dawmat al-Jandal is a fortress near Tabûk held by Ukaidir who was an Arab Chrisitan and this incident took place during the expedition of Tabûk in the 9th year of Hijrah.

405- Khâlid bin al-Walîd (RAA) called Ukaidar to Islâm but he refused so they made a peace agreement with him on the condition that he should pay them *Jizyah*.

**ristians** (when you meet them), **and if you meet any of them on the road, force him to go to the narrowest part of the road** (i.e. do not give them positions of authority among you.)" Related by Muslim.

١٣٥١ ــ وَعَنْ الْمِسْوَرِ بْنِ مَخْرَمَةَ وَمَرْوَانَ : أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ خَرَجَ عَامَ الْحُدَيْبِيَّةِ ــ فَذَكَرَ الْحَدِيثَ بِطُولِهِ ، وَفِيهِ : «هَذَا مَا صَالَحَ عَلَيْهِ مُحَمَّدُ بْنُ عَبْدِاللَّهِ سُهَيْلَ بْنَ عَمْرٍو : عَلَى وَضْعِ الْحَرْبِ عَشْرَ سِنِينَ يَأْمَنُ فِيهَا النَّاسُ ، وَيَكُفُّ بَعْضُهُمْ عَنْ بَعْضٍ». أَخْرَجَهُ أَبُو دَاوُدَ ، وَأَصْلُهُ فِي الْبُخَارِيِّ .

1351. Al-Miswar bin Makhramah and Marwân narrated, 'The Messenger of Allâh went out in the year of *al-Hudaibiyah* (reconciliation) – the narrator narrated a long hadîth which contained, 'this is what Muhammad bin 'Abdullâh has reconciled with Suhail bin 'Amro, to stop fighting for 10 years during which time people will live safely, and refrain from fighting one another...' Related by Abû Dawûd. It is part of a long hadîth narrated by Al-Bukhârî.

١٣٥٢ ــ وَأَخْرَجَ مُسْلِمٌ بَعْضَهُ مِنْ حَدِيثِ أَنَسٍ – رَضِيَ اللَّهُ عَنْهُ – ، وَفِيهِ : أَنَّ مَنْ جَاءَنَا مِنْكُمْ لَمْ نَرُدَّهُ عَلَيْكُمْ ، وَمَنْ جَاءَكُمْ مِنَّا رَدَدْتُمُوهُ عَلَيْنَا» ، فَقَالُوا : أَتَكْتُبُ هَذَا يَا رَسُولَ اللَّهِ ؟ قَالَ : «نَعَمْ ، إِنَّهُ مَنْ ذَهَبَ مِنَّا إِلَيْهِمْ فَأَبْعَدَهُ اللَّهُ ، وَمَنْ جَاءَنَا مِنْهُمْ فَسَيَجْعَلُ اللَّهُ لَهُ فَرَجًا وَمَخْرَجًا».

1352. Muslim transmitted part of this hadîth on the authority of Anas bin Mâlik (RAA) which says, 'In case any of you comes to us we shall not send him back to you (i.e. one of the Muslims who goes back to *Quraysh*), and in case any of us came to you, you should send him back to us (any of the people of *Quraysh* who goes to the Prophet ﷺ they will send him back to Makkah).' The Companions asked the Prophet ﷺ,'O Messenger of Allâh! Will you write this down?' He replied, **"Yes. May Allâh send out of His Mercy any of the Muslims who goes back to them. But Allâh will grant a way out for anyone who comes to us from them."**

١٣٥٣ ــ وَعَــنْ عَبْدِاللَّهِ بْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ قَالَ : «مَنْ قَتَلَ مُعَاهَدًا لَمْ يَرِحْ رَائِحَةَ الْجَنَّةِ ، وَإِنَّ رِيحَهَا لَيُوجَدُ مِنْ مَسِيرَةِ أَرْبَعِينَ عَامًا». أَخْرَجَهُ الْبُخَارِيُّ .

1353. ´Abdullâh Ibn ´Umar (RAA) narrated that the Messenger of Allâh ﷺ said,**"Whoever kills a *Mu´âhid*[406] will not smell the fragrance of Paradise, even though its fragrance could be smelt at a distance of forty years."** Related by Al-Bukhârî.

## بَــابُ السَّبَــقِ وَالــرَّمْــيِ

## *Chapter III: Racing and Marksmanship*

١٣٥٤ ــ عَــنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : «سَابَقَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ بِالْخَيْلِ الَّتِي قَدْ ضُمِّرَتْ مِنَ الْحَفْيَاءِ ، وَكَانَ أَمَدُهَا ثَنِيَّةَ الْوَدَاعِ وَسَابَقَ بَيْنَ الْخَيْلِ الَّتِي لَمْ تُضَمَّرْ مِنَ الثَّنِيَّةِ إِلَى مَسْجِدِ بَنِي زُرَيْقٍ ، وَكَانَ ابْنُ عُمَرَ فِيمَنْ سَابَقَ». مُــتَّفَقٌ عَلَــيْهِ ، زَادَ الْبُخَارِيُّ : قَالَ سُفْيَانُ : «مِنَ الْحَفْيَاءِ إِلَى ثَنِيَّةِ الْوَدَاعِ خَمْسَةُ أَمْيَالٍ ، أَوْ سِتَّةٌ ، وَمِنَ الثَّنِيَّةِ إِلَى مَسْجِدِ بَنِي زُرَيْقٍ مِيلٌ».

1354. Ibn ´Umar (RAA) narrated, 'The Messenger of Allâh ﷺ held a horse race, with horses that had been made lean by training, from *al-Hafiyâ' to Thanyat al-Wadâ´* (names of two places) and he held a race from *Thanyat- alWadâ´* to the mosque of *Banû Zuraiq* between the horses which had not undergone such training.' Ibn ´Umar was among those who took part in that race. Agreed upon.

Al-Bukhârî added: Sufiân said, 'From *al-Hafiyâ' to Thanyat al-Wadâ´* is a distance of five or six miles and from *Thanyat- al-Wadâ´* to the mosque of *Banû Zuraiq* is a distance of one mile.'

١٣٥٥ ــ وَعَــنْهُ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ سَابَقَ بَيْنَ الْخَيْلِ ، وَفَضَّلَ الْقُرَّحَ فِي الْغَايَةِ». رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

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406- A *Mu´âhid* is a non Muslim who is staying in an Islâmic State and with whom there is a covenant of peace and protection.

1355. Ibn ʿUmar (RAA) narrated, 'The Messenger of Allâh ﷺ held a horse race and made the destination from the fully grown ones at a longer distance.' Related by Ahmad and Abû Dawûd. Ibn Hibbân graded it as *Sahîh*.

١٣٥٦ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ سَبَقَ إِلاَّ فِي خُفٍّ ، أَوْ نَصْلٍ ، أَوْ حَافِرٍ». رَوَاهُ أَحْمَدُ ، وَالثَّلاَثَةُ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

1356. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said,**"Prize money is allowed only for racing camels, shooting arrows or racing horses."** Related by Ahmad and the three Imâms. Ibn Hibbân graded it as *Sahîh*.

١٣٥٧ ــ وَعَنْهُ - رَضِيَ اللَّهُ عَنْهُ - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «مَنْ أَدْخَلَ فَرَسًا بَيْنَ فَرَسَيْنِ - وَهُوَ لاَ يَأْمَنُ أَنْ يُسْبَقَ - فَلاَ بَأْسَ بِهِ ، فَإِنْ أَمِنَ فَهُوَ قِمَارٌ». رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَإِسْنَادُهُ ضَعِيفٌ .

1357. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"If anyone introduces a horse in a race with two other horses, when he is not certain that it cannot be beaten, there is no harm in it, but when he is certain (it cannot be beaten) it is then considered as gambling."** Related by Ahmad and Abû Dawûd with a weak chain of narrators.

١٣٥٨ ــ وَعَنْ عُقْبَةَ بْنِ عَامِرٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، وَهُوَ عَلَى الْمِنْبَرِ يَقْرَأُ : {وَأَعِدُّوا لَهُمْ مَا اسْتَطَعْتُمْ مِنْ قُوَّةٍ وَمِنْ رِبَاطِ الْخَيْلِ} الآيَةَ ، «أَلاَ إِنَّ الْقُوَّةَ الرَّمْيُ ، أَلاَ إِنَّ الْقُوَّةَ الرَّمْيُ ، ألا إِنَّ الْقُوَّةَ الرَّمْيُ». رَوَاهُ مُسْلِمٌ .

1358. ʿUqbah bin ʿÂmir (RAA) narrated, 'I heard the Messenger of Allâh ﷺ recite when he was on the pulpit, ***"And make ready against them all you can of power, including steeds of war(tanks, planes etc.)"(8:60)*, surely strength is in shooting (arrows); surely strength is in shooting, surely strength is in shooting."** Related by Muslim.

# كِتَابُ الأَطْعِمَةِ

# Book XII: Food

## *Chapter I*

١٣٥٩ ــ عَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «كُلُّ ذِي نَابٍ مِنَ السِّبَاعِ فَأَكْلُهُ حَرَامٌ». رَوَاهُ مُسْلِمٌ .

1359. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"Eating any predatory beast that has fangs, is prohibited."** Related by Muslim.

١٣٦٠ ــ وَأَخْرَجَهُ مِنْ حَدِيثِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - بِلَفْظِ : «نَهَى» ، وَزَادَ : «وَكُلِّ ذِي مِخْلَبٍ مِنَ الطَّيْرِ» .

1360. Muslim transmitted the same hadîth on the authority of Ibn ´Abbâs (RAA), 'He (The Messenger of Allâh ﷺ) prohibited...' and had the additional phrase, 'and every bird with talons.'

١٣٦١ ــ وَعَنْ جَابِرٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «نَهَى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَوْمَ خَيْبَرَ عَنْ لُحُومِ الْحُمُرِ الأَهْلِيَّةِ ، وَأَذِنَ فِي لُحُومِ الْخَيْلِ». مُتَّفَقٌ عَلَيْهِ ، وَفِي لَفْظٍ لِلْبُخَارِيِّ : وَرَخَّصَ .

1361. Jâbir (RAA), narrated, 'On the Day of Khaibar, the Messenger of Allâh ﷺ prohibited eating the flesh of domestic asses, but permitted horse flesh.' Agreed upon.

١٣٦٢ ــ وَعَنِ ابْنِ أَبِي أَوْفَى - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «غَزَوْنَا مَعَ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ سَبْعَ غَزَوَاتٍ نَأْكُلُ الْجَرَادَ». مُتَّفَقٌ عَلَيْهِ .

1362. Ibn Abî Aufâ (RAA) narrated, 'We went on seven expeditions with the Messenger of Allâh ﷺ and we ate locusts.' Agreed upon.

١٣٦٣ ـــ وَعَنْ أَنَسٍ – رَضِيَ اللَّهُ عَنْهُ – فِي قِصَّةِ الأَرْنَبِ – قَالَ : «فَذَبَحَهَا فَبَعَثَ بِوَرِكِهَا إِلَى رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَبِلَهُ». مُتَّفَقٌ عَلَيْهِ .

1363. Anas (RAA) narrated regarding the story of the rabbit,[407] 'He (Abû Talhâ) slaughtered it and sent its leg to the Messenger of Allâh ﷺ and he accepted it.' Agreed upon.

١٣٦٤ ـــ وَعَنْ ابْنِ عَبَّاسٍ – رَضِيَ اللَّهُ عَنْهُمَا – قَالَ : «نَهَى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَنْ قَتْلِ أَرْبَعٍ مِنَ الدَّوَابِّ : النَّمْلَةِ ، وَالنَّحْلَةِ ، وَالْهُدْهُدِ ، وَالصُّرَدِ». رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

1364. Ibn 'Abbâs (RAA),'The Messenger of Allâh ﷺ prohibited killing four creatures: ants, bees, hoopoes and shrikes.' Related by Ahmad and Abû Dawûd. Ibn Hibbân graded it as *Sahîh*.

١٣٦٥ ـــ وَعَنِ ابْنِ أَبِي عَمَّارٍ قَالَ : «قُلْتُ لِجَابِرٍ – رَضِيَ اللَّهُ عَنْهُ – : الضَّبُعُ صَيْدٌ هِيَ ؟ قَالَ : نَعَمْ . قُلْتُ : قَالَهُ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ؟ قَالَ : نَعَمْ». رَوَاهُ أَحْمَدُ ، وَالأَرْبَعَةُ ، وَصَحَّحَهُ الْبُخَارِيُّ ، وَابْنُ حِبَّانَ .

1365. Ibn Abî 'Ammâr narrated, 'I said to Jâbir (RAA), 'Is hyena a kind of game?'[408] He replied, 'Yes.' I asked, 'Did Allâh's Messenger ﷺ say that?' He replied. 'Yes.' Related by Ahmad and the four Imâms. Al-Bukhârî and Ibn Hibbân graded it as *Sahîh*.

١٣٦٦ ـــ وَعَنْ ابْنِ عُمَرَ – رَضِيَ اللَّهُ عَنْهُمَا – أَنَّهُ سُئِلَ عَنِ الْقُنْفُذِ ، فَقَالَ : {قُلْ لاَ أَجِدُ فِي مَا أُوحِيَ إِلَيَّ مُحَرَّماً} الآيَةَ ، فَقَالَ شَيْخٌ عِنْدَهُ : سَمِعْتُ أَبَا هُرَيْرَةَ يَقُولُ : ذُكِرَ عِنْدَ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، فَقَالَ : «إِنَّهَا خَبِيثَةٌ مِنَ الْخَبَائِثِ» ،

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407- Anas and some other companions chased a rabbit at Marr adh Dhahrân, and his companions got tired of chasing it, but Anas kept on till he caught it and brought it to Abû Talhah who sent its leg to the Prophet ﷺ.

408- According to this hadîth, eating hyena is permissible, but some scholars say that it is prohibited to eat it as it digs into graves to get human flesh.

فَقَالَ ابْنُ عُمَرَ : إِنْ كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ هَذَا ، فَهُوَ كَمَا قَالَ : أَخْرَجَهُ أَحْمَدُ وَأَبُو دَاوُدَ وَإِسْنَادُهُ ضَعِيفٌ .

1366. Ibn 'Umar (RAA) narrated that he was asked about a hedgehog and he then recited, ***"Say (O Muhammad ﷺ) I find not in that which has been inspired to me anything forbidden.." (6:145).*** An old man who was present said, 'I heard Abû Hurairah say, 'It was mentioned in the presence of the Prophet ﷺ and he said, **"It is an abomination from those things which are abominable."**Ibn 'Umar then said, 'If the Messenger of Allâh ﷺ had said that, then it is as he said.' Related by Ahmad and Abû Dawûd with a weak chain of narrators.

١٣٦٧ ـــ وَعَنْ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : «نَهَى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَنِ الْجَلَّالَةِ وَأَلْبَانِهَا». أَخْرَجَهُ الأَرْبَعَةُ إِلاَّ النَّسَائِيَّ وَحَسَّنَهُ التِّرْمِذِيُّ .

1367. Ibn 'Umar (RAA) narrated, 'The Messenger of Allâh ﷺ prohibited eating the animal which feeds on filth or drinks its milk.'Related by the four Imâms except for An-Nasâ'î. At-Tirmidhî graded it as *Hasan*.

١٣٦٨ ـــ وَعَـــنْ أَبِـــي قَتَادَةَ - رَضِيَ اللَّهُ عَنْهُ - فِي قِصَّةِ الْحِمَارِ الْوَحْشِيِّ - : «فَأَكَلَ مِنْهُ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ». مُتَّفَقٌ عَلَيْهِ .

1368. Abû Qatâdah narrated concerning the story of the zebra 'The Messenger of Allâh ﷺate from it.' Agreed upon. (refer to hadîth no. 753).

١٣٦٩ ـــ وَعَـــنْ أَسْمَاءَ بِنْتِ أَبِي بَكْرٍ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَتْ : «نَحَرْنَا عَلَى عَهْدِ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَرَسًا ، فَأَكَلْنَاهُ». مُتَّفَقٌ عَلَيْهِ .

1369. Asmâ' bint Abî Bakr (RAA) narrated, 'During the lifetime of the Prophet ﷺ, we slaughtered a horse and ate it.' Agreed upon.

١٣٧٠ ـــ وَعَـــنْ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : «أُكِلَ الضَّبُّ عَلَى مَائِدَةِ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ». مُتَّفَقٌ عَلَيْهِ .

1370. Ibn 'Abbâs (RAA) narrated, 'The sand lizard[409] was served as food on the table of the Prophet ﷺ.' Agreed upon.

١٣٧١ ـــ وَعَـــنْ عَبْدِالرَّحْمَنِ بْنِ عُثْمَانَ الْقُرَشِيِّ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ طَبِيبًا سَـــأَلَ رَسُـــولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَنِ الضِّفْدَعِ يَجْعَلُهَا فِي دَوَاءٍ ، فَنَهَى عَنْ قَتْلِهَا». أَخْرَجَهُ أَحْمَدُ ، وَصَحَّحَهُ الْحَاكِمُ ، وَأَخْرَجَهُ أَبُو دَاوُدَ ، وَ النَّسَائِيُّ .

1371. 'Abdur Rahmân bin 'Uthmân al-Qurashî (RAA) narrated, 'A doctor consulted the Prophet ﷺ about extracting medicine from a frog but he prohibited killing it.' Related by Ahmad, Abû Dawûd and An-Nasâ'î. Al-Hâkim graded it as Sahîh.

# بَـــابُ الصَّيْـــدِ وَالذَّبَـــائِـــحِ

## *Chapter II: Hunting and Slaughtering*

١٣٧٢ ـــ عَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ اتَّخَذَ كَلْبًا - إِلاَّ كَلْبَ مَاشِيَةٍ ، أَوْ صَيْدٍ ، أَوْ زَرْعٍ - انْتُقِصَ مِنْ أَجْرِهِ كُلَّ يَوْمٍ قِيرَاطٌ». مُتَّفَقٌ عَلَيْهِ .

1372. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **'If anyone owns a dog except a sheepdog, a hunting dog, or a farm dog, a carat of his reward will be deducted daily."** Agreed upon.

١٣٧٣ ـــ وَعَنْ عَدِيِّ بْنِ حَاتِمٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا أَرْسَلْتَ كَلْبَكَ فَاذْكُرِ اسْمَ اللَّهِ عَلَيْهِ ، فَإِنْ أَمْسَكَ عَلَيْكَ فَأَدْرَكْتَهُ حَيًّا فَاذْبَحْهُ ، وَإِنْ أَدْرَكْتَهُ قَدْ قَتَلَ وَلَمْ يَأْكُلْ مِنْهُ فَكُلْهُ ، وَإِنْ وَجَدْتَ مَعَ كَلْبِكَ كَلْبًا

409- The Messenger of Allâh ﷺ did not prohibit them from eating it, but he did not like it himself

غَـيْرَهُ وَقَدْ قَتَلَ فَلاَ تَأْكُلْ ، فَإِنَّكَ لاَ تَدْرِي أَيُّهُمَا قَتَلَهُ ، وَإِنْ رَمَيْتَ بِسَهْمِكَ فَاذْكُرِ اسْـمَ اللَّهِ - تَعَالَى - ، فَإِنْ غَابَ عَنْكَ يَوْمًا فَلَمْ تَجِدْ فِيهِ إِلاَّ أَثَرَ سَهْمِكَ فَكُلْ إِنْ شِئْتَ ، وَإِنْ وَجَدْتَهُ غَرِيقًا فِي الْمَاءِ فَلاَ تَأْكُلْ». مُتَّفَقٌ عَلَيْهِ ، وَهَذَا لَفْظُ مُسْلِمٍ .

1373. ´Adî bin Hâtim (RAA) narrated,' The Messenger of Allâh ﷺ said to me, **"When you set off your dog, mention Allâh's Name (say *Bismillâh*), and if it catches anything for you and you come up to it while it is still alive slaughter it; if you come up to it when the dog has killed it but not eaten any of it, eat it. If you find another dog with yours and the game has been killed, do not eat, for you do not know which of them killed the animal. When you shoot your arrow, mentions Allâh's Name and if the game goes out of sight for a day and you find it without any marks except for that of your arrow, eat if you wish, but if you find it drowned in water do not eat it."** Agreed upon, and the wording is from Muslim.

١٣٧٤ ـــ وَعَنْ عَدِيٍّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : سَأَلْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـلَّمَ عَنْ صَيْدِ الْمِعْرَاضِ ، فَقَالَ : «إِذَا أَصَبْتَ بِحَدِّهِ فَكُلْ ، وَإِذَا أَصَبْتَ بِعَرْضِهِ فَقَتَلَ فَإِنَّهُ وَقِيذٌ ، فَلاَ تَأْكُلْ». رَوَاهُ الْبُخَارِيُّ .

1374. ´Adî (RAA) narrated, 'I asked the Messenger of Allâh ﷺ about hunting using a featherless arrow (*al-Mi´râd*[410]). He replied, **"If the game is killed with its sharp edge** (the iron piece) **eat it; but if it strikes with the middle part of the shaft** (i.e. it is not penetrated with the sharp part) **and the game is killed** (due to being hit with it)**, it is considered a *Mauqûdhah*[411], so do not eat it."** Related by Al-Bukhârî.

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410- It is a featherless arrow without a sharp edge, but it hits the game with its broad side. Some say that the *Mi´râd* is a thick bar of wood with a piece of iron fixed to its edge and it could be without this piece of iron which is closer to its description.

411- The *Mauqûdhah* is the animal killed by a violent blow with a stone or a stick and it is prohibited to eat it. This hadîth clearly specifies that if the game is wounded with a sharp object and bleeds to death, then it is

١٣٧٥ ـــ وَعَـــنْ أَبِـــي ثَعْلَـــبَةَ عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «إِذَا رَمَيْتَ بِسَهْمِكَ ، فَغَابَ عَنْكَ فَأَدْرَكْتَهُ ، فَكُلْهُ مَا لَمْ يَنْتِنْ». أَخْرَجَهُ مُسْلِمٌ .

1375. Abû Tha'labah (RAA) narrated that the Messenger of Allâh ﷺ said,**"When you shoot your arrow and the game has gone out of sight, eat it when you come upon it, provided it has not become rotten."**[412] Related by Muslim.

١٣٧٦ ـــ وَعَـــنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - : أَنَّ قَوْمًا قَالُوا لِلنَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ : إِنَّ قَوْمًا يَأْتُونَنَا بِاللَّحْمِ ، لاَ نَدْرِي : أَذَكَرُوا اسْمَ اللَّهِ عَلَيْهِ أَمْ لاَ ؟ فَقَالَ : «سَمُّوا اللَّهَ عَلَيْهِ أَنْتُمْ وَكُلُوهُ». رَوَاهُ الْبُخَارِيُّ .

1376. 'Â'ishah (RAA) narrated, 'Some people said to Allâh's Messenger ﷺ, 'There are people who bring us meat and we do not know whether or not they have mentioned Allâh's name over it.' He replied, **"Mention Allâh's name yourselves and eat it."** Related by Al-Bukhârî.

١٣٧٧ ـــ وَعَنْ عَبْدِاللَّهِ بْنِ مُغَفَّلٍ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ نَهَى عَنِ الْخَذْفِ ، وَقَالَ : «إِنَّهَا لاَ تَصِيدُ صَيْدًا ، وَلاَ تَنْكَأُ عَدُوًّا ، وَلَكِنَّهَا تَكْسِرُ السِّنَّ ، وَتَفْقَأُ الْعَيْنَ». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِمُسْلِمٍ .

1377. 'Abdullâh bin Mughaffal al-Muzanî (RAA) narrated,'The Messenger of Allâh ﷺ prohibited throwing pebbles (on animals) and said, **'Such means do not hunt a game, nor do they injure an enemy, but they only may break a tooth or gouge out an eye."** Agreed upon, and it is Muslim's version.

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permissible to eat it but if it dies out of being hit by an object it is not lawful to eat in this case, as the body is not penetrated to bleed.

412- If the animal is found having drowned, it is forbidden to eat it, but if he found it still alive it must be slaughtered first. As stated previously, if he found his game with no other injury except for that of the arrow, then it is lawful to eat even if it is dead, as long as it is not rotten.

١٣٧٨ ـــ وَعَـــنْ ابْنِ عَبَّاسٍ - رَضِيَ اللّٰهُ عَنْهُمَا - أَنَّ النَّبِيَّ صَلَّى اللّٰهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لاَ تَتَّخِذُوا شَيْئًا فِيهِ الرُّوحُ غَرَضًا». رَوَاهُ مُسْلِمٌ .

1378. Ibn ´Abbâs (RAA) narrated that the Messenger of Allâh ﷺ said,**"Do not take any living creature as a target."** Related by Muslim.

١٣٧٩ ـــ وَعَـــنْ كَعْـــبِ بْنِ مَالِكٍ - رَضِيَ اللّٰهُ عَنْهُ - : «أَنَّ امْرَأَةً ذَبَحَتْ شَاةً بِحَجَرٍ ، فَسُئِلَ النَّبِيُّ صَلَّى اللّٰهُ عَلَيْهِ وَسَلَّمَ عَنْ ذَلِكَ ، فَأَمَرَ بِأَكْلِهَا». رَوَاهُ الْبُخَارِيُّ .

1379. Ka´b bin Mâlik (RAA) narrated, 'A woman slaughtered a sheep with a stone, so the Prophet ﷺ was asked about that and he ordered it to be eaten.' Related by Muslim.

١٣٨٠ ـــ وَعَنْ رَافِعِ بْنِ خَدِيجٍ - رَضِيَ اللّٰهُ عَنْهُ - عَنِ النَّبِيِّ صَلَّى اللّٰهُ عَلَيْهِ وَسَلَّمَ قَـــالَ : «مَـــا أَنْهَرَ الدَّمَ وَذُكِرَ اسْمُ اللّٰهِ عَلَيْهِ فَكُلْ ، لَيْسَ السِّنَّ وَالظُّفُرَ ، أَمَّا السِّنُّ فَعَظْمٌ ، وَأَمَّا الظُّفُرُ فَمُدَى الْحَبَشَةِ». مُتَّفَقٌ عَلَيْهِ .

1380. Râfi´ bin Khadîj (RAA) narrated that the Prophet ﷺ said, **"You may eat an animal which is slaughtered by any means which causes the blood to gush out as long as Allâh's Name is mentioned over it, except for the tooth and the claw** (not allowed to be used).[413] **The tooth is a bone and the claw is the knife of the Abyssinians (Ethiopians)."** Agreed upon.

١٣٨١ ـــ وَعَـــنْ جَابِرِ بْنِ عَبْدِاللّٰهِ - رَضِيَ اللّٰهُ عَنْهُمَا - قَالَ : «نَهَى رَسُولُ اللّٰهِ صَلَّى اللّٰهُ عَلَيْهِ وَسَلَّمَ أَنْ يُقْتَلَ شَيْءٌ مِنَ الدَّوَابِّ صَبْرًا». رَوَاهُ مُسْلِمٌ .

1381. Jâbir bin ´Abdullâh (RAA) narrated, 'The Messenger of Allâh ﷺ prohibited beating a tied-animal to death.' Related by Muslim.

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413- Any sharp object, which makes the blood flow, could be used to slaughter an animal except for a tooth or a bone.

١٣٨٢ ـــ وَعَــنْ شَــدَّادِ بْــنِ أَوْسٍ قَالَ : قَالَ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِنَّ اللَّــهَ كَتَبَ الإِحْسَانَ عَلَى كُلِّ شَيْءٍ ، فَإِذَا قَتَلْتُمْ فَأَحْسِنُوا الْقِتْلَةَ ، وَإِذَا ذَبَحْتُمْ فَأَحْسِنُوا الذِّبْحَةَ ، وَلْيُحِدَّ أَحَدُكُمْ شَفْرَتَهُ ، وَلْيُرِحْ ذَبِيحَتَهُ». رَوَاهُ مُسْلِمٌ .

1382. Shaddâd bin Aus (RAA) narrated that the Messenger of Allâh ﷺ said, **"Verily, Allâh has prescribed proficiency in all things.Thus, if you kill, kill in the least painful manner you can;[414] and when you slaughter an animal, do it in the best possible way;[415] and any of you should sharpen his blade so that the animal may be spared from the suffering of the slaughtering."** Reported by Muslim.

١٣٨٣ ـــ وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «ذَكَاةُ الْجَنِينِ ذَكَاةُ أُمِّهِ». رَوَاهُ أَحْمَدُ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

1383. Abû Sa'îd al-Khudrî (RAA) narrated that the Messenger of Allâh ﷺ said, **"The** (legal) **slaughtering of the fetus is included when its mother is slaughtered."**[416]Related by Ahmad and Ibn Hibbân graded it as *Sahîh*.

١٣٨٤ ـــ وَعَــنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَــالَ : «الْمُسْلِمُ يَكْفِيهِ اسْمُهُ ، فَإِنْ نَسِيَ أَنْ يُسَمِّيَ حِينَ يَذْبَحُ فَلْيُسَمِّ ثُمَّ لِيَأْكُلْ». أَخْــرَجَهُ الدَّارَقُطْــنِيُّ ، وَفِــيهِ رَاوٍ فِي حِفْظِهِ ضَعْفٌ ، وَفِي إِسْنَادِهِ مُحَمَّدُ بْنُ يَزِيدَ بْنُ سِنَانٍ ، وَهُوَ صَدُوقٌ ضَعِيفُ الْحِفْظِ .

1384. Ibn 'Abbâs (RAA) narrated that the Messenger of Allâh

414- If someone is to be executed (for any crime he committed), he should be killed in such a manner that he faces the least possible suffering and that he passes away as quickly as possible.

415- When someone is slaughtering an animal he should not move it around violently, neither draw it with force, nor slaughter it in the presence of another animal that may be watching it.

416- When the cow or the camel is slaughtered and a fetus is found inside, the fetus is lawful to eat if one wishes. That only applies if it was found dead, but if it was still alive, it must be slaughtered.

ﷺ said, **"A Muslim's name is sufficient for him, so if he forgets to mention Allâh's Name when he slaughters an animal, he should mention Allâh's Name, then eat it."** Related by Ad-Dâraqutnî but there is a weak narrator in its chain. Also there is Mu<u>h</u>ammad bin Yazîd bin Sinân in its chain who is truthful but had a weak memory.

١٣٨٥ ـــ وَأَخْرَجَهُ عَبْدُالرَّزَّاقِ بِإِسْنَادٍ صَحِيحٍ إِلَى ابْنِ عَبَّاسٍ مَوْقُوفًا عَلَيْهِ .

1385. ´Abdur Razzâq transmitted it with a sound chain of narrators on the authority of Ibn ´Abbâs but it is not connected up to the Prophet ﷺ.

١٣٨٦ ـــ وَلَهُ شَاهِدٌ عِنْدَ أَبِي دَاوُدَ فِي مَرَاسِيلِهِ بِلَفْظِ : «ذَبِيحَةُ الْمُسْلِمِ حَلَالٌ ، ذَكَرَ اسْمَ اللَّهِ عَلَيْهَا أَمْ لَمْ يَذْكُرْ». وَرِجَالُهُ مُوَثَّقُونَ .

1386. Abû Dawûd narrated a similar <u>h</u>adîth that reads, "The slaughtering of any Muslim is *<u>H</u>alâl* (lawful) whether or not he mentioned Allâh's name over it."[417] Its narrators are reliable.

## بَابُ الأَضَاحِي

## *Chapter III: Sacrifices on ´Îdul A<u>d</u>-<u>h</u>â*

١٣٨٧ ـــ عَنْ أَنَسِ بْنِ مَالِكٍ : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ يُضَحِّي بِكَبْشَيْنِ أَقْرَنَيْنِ ، وَيُسَمِّي ، وَيُكَبِّرُ ، وَيَضَعُ رِجْلَهُ عَلَى صِفَاحِهِمَا». وَفِي لَفْظٍ : «ذَبَحَهُمَا بِيَدِهِ» ، وَفِي لَفْظٍ : «سَمِينَيْنِ» ، وَلِأَبِي عَوَانَةَ فِي صَحِيحِهِ : ثَمِينَيْنِ – «بِالْمُثَلَّثَةِ» بَدَلَ السِّينِ – وَفِي لَفْظٍ لِمُسْلِمٍ ، وَيَقُولُ : «بِسْمِ اللَّهِ ، وَاللَّهُ أَكْبَرُ» .

1387. Anas bin Mâlik (RAA) narrated,"The Messenger of Allâh ﷺ used to sacrifice two two-horned rams, mention Allâh's name

417- Most scholars are of the opinion that pronouncing the *Takbîr* and *Bismillâh* is a *Sunnah* except for *Abû <u>H</u>anîfah*. There is also a consensus among the scholars that if a Muslim deliberately does not mention Allâh's name while slaughtering then the animal becomes unlawful to eat, but if he forgets then it is permissible to eat it and it is enough in this case to mention Allâh's name before eating it.

and say the *Takbîr* (*Allâh Akbar* or Allâh is the Most Great), and place his foot on their sides.' In another version, 'He slaughtered them with his own hands.' Another version has, 'Two fat rams,' and another has, 'two precious rams.' Agreed upon. In a version by Muslim, 'and would say *Bismillâh and Allâh Akbar.*'

١٣٨٨ ــ وَلَهُ مِنْ حَدِيثِ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - : أَمَرَ بِكَبْشٍ أَقْرَنَ ، يَطَأُ فِي سَوَادٍ ، وَيَبْرُكُ فِي سَوَادٍ ، وَيَنْظُرُ فِي سَوَادٍ ، فَأُتِيَ بِهِ لِيُضَحِّيَ بِهِ ، فَقَالَ لَهَا : «يَا عَائِشَةُ ، هَلُمِّي الْمُدْيَةَ» ، ثُمَّ قَالَ : «اشْحَذِيهَا بِحَجَرٍ» ، فَفَعَلَتْ ، ثُمَّ أَخَذَهَا ، وَأَخَذَهُ ، فَأَضْجَعَهُ ، ثُمَّ ذَبَحَهُ ، ثُمَّ قَالَ : «بِسْمِ اللَّهِ ، اللَّهُمَّ تَقَبَّلْ مِنْ مُحَمَّدٍ ، وَآلِ مُحَمَّدٍ ، وَمِنْ أُمَّةِ مُحَمَّدٍ» ثُمَّ ضَحَّى بِهِ .

1388. Muslim has also reported on the authority of ´Â'ishah (RAA), "Allâh's Messenger ﷺ ordered a horned ram with black legs, a black belly and black around its eyes, and it was brought for him to sacrifice and he said to ´Â'ishah (RAA), **"´Â'ishah, get the knife."** Then he said, **"Sharpen it with a stone."** When she had done so he took it, then taking it (the ram) he placed it on the ground and slaughtered it. He then said, ***"Bismillâh* (In the name of Allâh), O Allâh, accept it from Muhammad, Muhammad's family and from Muhammad's *Ummah* (followers)."** Then he sacrificed it.'

١٣٨٩ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ كَانَ لَهُ سَعَةٌ ، وَلَمْ يُضَحِّ فَلَا يَقْرَبَنَّ مُصَلَّانَا». رَوَاهُ أَحْمَدُ ، وَابْنُ مَاجَهْ ، وَصَحَّحَهُ الْحَاكِمُ ، وَرَجَّحَ الْأَئِمَّةُ غَيْرُهُ وَقْفَهُ .

1389. Abû Hurairah (RAA) narrated that Allâh's Messenger ﷺ said, **"He who can afford it but did not offer a sacrifice must not come near our place of prayer."**[418] Related by Ahmad and Ibn Mâjah. Al-Hâkim graded it as *Sahîh*. Other Imâms said that it is *Mawqûf* (i.e. it is not connected to the Prophet ﷺ.)

418- Offering a sacrifice is not obligatory, but it is a confirmed *Sunnah* which was always practiced by the Prophet ﷺ.

١٣٩٠ ـــ وَعَـــنْ جُـــنْدُبِ بْنِ سُفْيَانَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : شَهِدْتُ الأَضْحَى مَـــعَ رَسُـــولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، فَلَمَّا قَضَى صَلاَتَهُ بِالنَّاسِ نَظَرَ إِلَى غَنَمٍ قَدْ ذُبِحَـــتْ ، فَقَـــالَ : «مَنْ ذَبَحَ قَبْلَ الصَّلاَةِ فَلْيَذْبَحْ شَاةً مَكَانَهَا ، وَمَنْ لَمْ يَكُنْ ذَبَحَ فَلْيَذْبَحْ عَلَى اسْمِ اللَّهِ». مُتَّفَقٌ عَلَيْهِ .

1390. Jundub bin Sufiân (RAA) narrated,'I witnessed (the prayer of) *'Îdul Ad-hâ* with the Messenger of Allâh ﷺ and when he finished his prayer with the people, he looked at a sheep which had been sacrificed, so he said, **"Anyone who has sacrificed before the prayer must sacrifice another goat instead** (of the one which he slaughtered before the prayer)**and if anyone has not sacrificed he should do so in Allâh's name.'**[419] Agreed upon.

١٣٩١ ـــ وَعَـــنِ الْـــبَرَاءِ بْنِ عَازِبٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَامَ فِينَا رَسُولُ اللَّهِ صَـــلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ : «أَرْبَعٌ لاَ تَجُوزُ فِي الضَّحَايَا : الْعَوْرَاءُ الْبَيِّنُ عَوَرُهَا ، وَالْمَرِيضَـــةُ الْبَـــيِّنُ مَرَضُـــهَا ، وَالْعَـــرْجَاءُ الْبَيِّنُ ظَلَعُهَا ، وَالْكَبِيرَةُ الَّتِي لاَ تُنْقِي». رَوَاهُ أَحْمَدُ ، وَالأَرْبَعَةُ ، وَصَحَّحَهُ التِّرْمِذِيُّ ، وَابْنُ حِبَّانَ .

1391. Al-Barâ' bin 'Âzib (RAA) narrated Allâh's Messenger ﷺ stood among us and said, **"There are four types of sacrificial animals, which are not permitted:A one-eyed animal which has obviously lost the sight of one eye, a sick animal which is obviously sick, a lame animal which obviously limps, and an old animal which has no marrow."** Related by Ahmad and the four Imâms. At-Tirmidhî and Ibn Hibbân graded it as *Sahîh*.

١٣٩٢ ـــ وَعَنْ جَابِرٍ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ تَذْبَحُوا إِلاَّ مُسِنَّةً ، إِلاَّ إِنْ تَعَسَّرَ عَلَيْكُمْ فَتَذْبَحُوا جَذَعَةً مِنَ الضَّأْنِ». رَوَاهُ مُسْلِمٌ .

1392. Jâbir (RAA) narrated that Allâh's Messenger ﷺ said,

419- This hadîth is evidence that if an animal is slaughtered before the *'eid* prayer, then it is not considered a sacrifice and will not get the reward as such, it is rather considered as a charity to be given to the poor. The proper sacrifice must be slaughtered after the prayer, which is why the Messenger of Allâh ﷺ told them to sacrifice another one.

**"Sacrifice only a full-grown animal unless it is difficult for you, in which case you should sacrifice a (six to ten month old) sheep."** Reported by Muslim.

١٣٩٣ ــ وَعَــنْ عَلِــيٍّ - رَضِــيَ اللَّهُ عَنْهُ - قَالَ : «أَمَرَنَا رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَــيْهِ وَسَــلَّمَ أَنْ نَسْتَشْرِفَ الْعَيْنَ وَالأُذُنَ ، وَلاَ نُضَحِّيَ بِعَوْرَاءَ ، وَلاَ مُقَابَلَةٍ ، وَلاَ مُدَابَرَةٍ ، وَلاَ خَرْقَاءَ ، وَلاَ ثَرْمَاءَ». أَخْرَجَهُ أَحْمَدُ ، وَالأَرْبَعَةُ ، وَصَحَّحَهُ التِّرْمِذِيُّ ، وَابْنُ حِبَّانَ ، وَالْحَاكِمُ .

1393. 'Alî (RAA) narrated, 'Allâh's Messenger ﷺ enjoined us to pay great attention to the eye and the ear, and not sacrifice a one-eyed animal, or an animal with a slit which leaves something hanging at the front or back of the ear, or with a perforation in the ear, or an animal with broken front teeth.' Related by Ahmad and the four Imâms. At-Tirmidhî, Ibn Hibbân and Al-Hâkim graded it as *Sahîh*.

١٣٩٤ ــ وَعَــنْ عَلِيِّ بْنِ أَبِي طَالِبٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «أَمَرَنِي رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنْ أَقُومَ عَلَى بُدْنِهِ ، وَأَنْ أُقَسِّمَ لُحُومَهَا وَجُلُودَهَا وَجِلاَلَهَا عَلَى الْمَسَاكِينِ ، وَلاَ أُعْطِي فِي جِزَارَتِهَا شَيْئًا مِنْهَا». مُتَّفَقٌ عَلَيْهِ .

1394. 'Alî bin Abî Tâlib (RAA) narrated, 'The Messenger of Allâh ﷺ appointed me to be in charge of his sacrificial animals, and commanded me to distribute all their meat, hides, and saddlery to the poor, and not to give anything from them to the butcher.' [420] Agreed upon

١٣٩٥ ــ وَعَنْ جَابِرِ بْنِ عَبْدِاللَّهِ قَالَ : «نَحَرْنَا مَعَ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَامَ الْحُدَيْبِيَّةِ الْبَدَنَةَ عَنْ سَبْعَةٍ ، وَالْبَقَرَةَ عَنْ سَبْعَةٍ». رَوَاهُ مُسْلِمٌ .

1395. Jâbir (RAA) narrated, 'In the year of *Hudaibiyah* (Reconciliation), we sacrificed a camel for each seven people along with Allâh's Messenger ﷺ, and also a cow for seven.' Related by Muslim.

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420- It is prohibited to give the butcher his wages in the form of some meat of the sacrificed animal, unless he does not take it willingly.

# بَـــابُ الْعَقِيقَـــةِ

## *Chapter IV: ´Aqîqah*[421]

١٣٩٦ ـــ عَـــنْ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَـــقَّ عَنِ الْحَسَنِ وَالْحُسَيْنِ كَبْشًا كَبْشًا». رَوَاهُ أَبُو دَاوُدَ ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ ، وَابْنُ الْجَارُودِ ، وَعَبْدُالْحَقِّ ، لَكِنْ رَجَّحَ أَبُو حَاتِمٍ إِرْسَالَهُ .

1396. Ibn ´Abbâs (RAA) narrated, 'The messenger of Allâh ﷺ slaughtered a ram for both al-Hasan and al-Husain[422] (at their birth).' Related by Abû Dawûd, Ibn Khuzaimah, Ibn al-Gârûd and ´Abdul Haqq graded it as *Sahîh*, but Abû Hâtim said that it is most probably *Mursal*.

١٣٩٧ ـــ وَأَخْرَجَ ابْنُ حِبَّانَ مِنْ حَدِيثِ أَنَسٍ نَحْوَهُ .

1397. Ibn Hibbân transmitted a similar hadîth on the authority of Anas.

١٣٩٨ ـــ وَعَـــنْ عَائِشَـــةَ - رَضِيَ اللَّهُ عَنْهَا - : «أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ أَمَـــرَهُمْ أَنْ يُعَـــقَّ عَـــنِ الْغُـــلَامِ شَاتَانِ مُكَافِئَتَانِ ، وَعَنْ الْجَارِيَةِ شَاةٌ». رَوَاهُ التِّرْمِذِيُّ وَصَحَّحَهُ .

1398. ´Â'ishah (RAA) narrated, 'Allâh's Messenger ﷺ commanded them to slaughter two sheep equal (in age) for a boy and one for a girl at their birth.' Related by At-Tirmidhî and graded it as *Sahîh*.

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421- This term is used for the animal which is slaughtered for the sake of a new-born baby whether male or female. The *Sunnah* is that the animal is to be slaughtered on the 7th day of the baby's birth, and also it is an act of the *Sunnah* of the Prophet ﷺ to slaughter one sheep for the female and two for the male.

422- They are the grandsons of the Messenger of Allâh ﷺ, and the sons of ´Alî bin Abî Tâlib and Fâtimah the Prophet's daughter. Al-Husain is one year younger than al-Hasan.

١٣٩٩ ــ وَأَخْرَجَ أَحْمَدُ ، وَالأَرْبَعَةُ عَنْ أُمِّ كُرْزٍ الْكَعْبِيَّةِ نَحْوَهُ .

1399. Ahmad and the four Imâms transmitted a similar hadîth on the authority of Umm Kurz al-Ka'biyah.

١٤٠٠ ــ وَعَنْ سَمُرَةَ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «كُلُّ غُلَامٍ مُرْتَهَنٌ بِعَقِيقَتِهِ ، تُذْبَحُ عَنْهُ يَوْمَ سَابِعِهِ ، وَيُحْلَقُ ، وَيُسَمَّى». رَوَاهُ أَحْمَدُ ، وَالأَرْبَعَةُ ، وَصَحَّحَهُ التِّرْمِذِيُّ .

1400. Samurah (RAA) narrated that Allâh's Messenger ﷺ said, **"Every boy is pawned[423] against his *'Aqîqah*, to be slaughtered on his behalf on the seventh day of his birth, his head is to be shaved, and he must be given a name."** Related by Ahmad and the four Imâms. At-Tirmidhî graded it as *Sahîh*.

423- The Messenger of Allâh ﷺ is drawing a similarity between an article, which is pawned and a child who is lying in a state of being pledged. If his parents do not do this *'Aqîqah* for him, he will not be able to intercede for them with Allâh on the Day of Judgment, if he dies in his childhood before reaching the age of puberty; i.e. they will not benefit from his intercession to their welfare.

# كِتَابُ الأَيْمَانِ وَالنُّذُورِ

# Book XII: Oaths and Vows

## *Chapter I*

١٤٠١ — عَنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - عَنْ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : أَنَّهُ أَدْرَكَ عُمَرَ بْنَ الْخَطَّابِ فِي رَكْبٍ ، وَعُمَرُ يَحْلِفُ بِأَبِيهِ ، فَنَادَاهُمْ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «أَلاَ إِنَّ اللَّهَ يَنْهَاكُمْ أَنْ تَحْلِفُوا بِآبَائِكُمْ ، فَمَنْ كَانَ حَالِفًا فَلْيَحْلِفْ بِاللَّهِ ، أَوْ لِيَصْمُتْ». مُتَّفَقٌ عَلَيْهِ .

1401. Ibn 'Umar (RAA) narrated, 'The Messenger of Allâh ﷺ caught up with 'Umar bin al-Khattâb (RAA) when he was with a group of camel-riders and 'Umar was swearing by his father, so Allâh's Messenger ﷺ called them and said, **"Verily, Allâh forbids you to swear by your fathers, so whoever has to take an oath, he must swear by Allâh or keep silent."** Agreed upon.

١٤٠٢ — وَفِي رِوَايَةٍ لأَبِي دَاوُدَ وَالنَّسَائِيِّ عَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - مَرْفُوعًا : «لاَ تَحْلِفُوا بِآبَائِكُمْ ، وَلاَ بِأُمَّهَاتِكُمْ ، وَلاَ بِالأَنْدَادِ ، وَلاَ تَحْلِفُوا بِاللَّهِ إِلاَّ وَأَنْتُمْ صَادِقُونَ».

1402. Abû Dawûd and An-Nasâ'î transmitted on the authority of Abû Hurairah (RAA) that the Messenger of Allâh ﷺ said, **"Do not swear by your fathers or by your mothers, or by rivals to Allâh; and swear not by Allâh except when you are speaking the truth."**

١٤٠٣ — وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «يَمِينُكَ عَلَى مَا يُصَدِّقُكَ بِهِ صَاحِبُكَ».

1403. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"Your oath should be about something regar-**

**ding which your opponent shall believe you."**[424] Related by Muslim.

١٤٠٤ ــ وَفِي رِوَايَةٍ : «الْيَمِينُ عَلَى نِيَّةِ الْمُسْتَحْلِفِ». أَخْرَجَهُمَا مُسْلِمٌ .

1404. Muslim transmitted, **"An oath is to be interpreted according to the intention of the claimant** (whether the judge or the defendant's rival demanding an oath concerning a particular matter)**."**

١٤٠٥ ــ وَعَــنْ عَبْدِالرَّحْمَنِ بْنِ سَمُرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَــلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «وَإِذَا حَلَفْتَ عَلَى يَمِينٍ ، فَرَأَيْتَ غَيْرَهَا خَيْرًا مِنْهَا ، فَكَفِّرْ عَنْ يَمِينِكَ ، وَائْتِ الَّذِي هُوَ خَيْرٌ». مُتَّفَقٌ عَلَيْهِ .

وَفِــي لَفْظٍ لِلْبُخَارِيِّ : «فَائْتِ الَّذِي هُوَ خَيْرٌ وَكَفِّرْ عَنْ يَمِينِكَ». وَفِي رِوَايَةٍ لِأَبِي دَاوُدَ : «فَكَفِّرْ عَنْ يَمِينِكَ ثُمَّ ائْتِ الَّذِي هُوَ خَيْرٌ». وَإِسْنَادُهُمَا صَحِيحٌ .

1405. 'Abdur Rahmân bin Samurah (RAA) narrated that the Messenger of Allâh ﷺ said, **"If you take an oath to do something and later on find something else which is better than that one, make an expiation for (the dissolution of) your oath and then do what you find to be better."** Agreed upon.

In the version of Al-Bukhârî, **"Do what you find to be better and make expiation for your oath."**

١٤٠٦ ــ وَعَــنْ ابْــنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ قَــالَ : «مَــنْ حَلَــفَ عَلَى يَمِينٍ فَقَالَ : إِنْ شَاءَ اللَّهُ ، فَلاَ حِنْثَ عَلَيْهِ». رَوَاهُ أَحْمَدُ وَالأَرْبَعَةُ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

1406. Ibn 'Umar (RAA) narrated that the Messenger of Allâh ﷺ said, **"If anyone says: 'If Allâh wills' when swearing an**

424- This hadîth is relevant to the intention of the claimant (whether he is a judge or otherwise). The claimant asks the defendant to administer an oath on a certain matter, which he claims to be truthful about. So, in this case the defendant makes an oath with his intention being related to this particular matter, which his rival claimed that he is guilty of. This is supported by the following hadîth.

**oath, he is not held responsible if he breaks it** (i.e. he does not have to provide expiation for breaking it)." Related by Ahmad and the four Imâms. Ibn Hibbân graded it as *Sahîh*.

١٤٠٧ ــ وَعَنْهُ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «كَانَتْ يَمِينُ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : لاَ ، وَمُقَلِّبُ الْقُلُوبِ». رَوَاهُ الْبُخَارِيُّ .

1407. Ibn 'Umar (RAA) narrated, 'When the Messenger of Allâh ﷺ took an oath, he used to say, **"No, by Him Who turns the hearts,"** (i.e. who controls the states of one's heart).' Related by Al-Bukhârî.

١٤٠٨ ــ وَعَنْ عَبْدِاللَّهِ بْنِ عَمْرٍو - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : جَاءَ أَعْرَابِيٌّ إِلَى النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، فَقَالَ : يَا رَسُولَ اللَّهِ ، مَا الْكَبَائِرُ ؟- فَذَكَرَ الْحَدِيثَ ، وَفِيهِ : «الْيَمِينُ الْغَمُوسُ» ، وَفِيهِ : قُلْتُ : وَمَا الْيَمِينُ الْغَمُوسُ ؟ قَالَ : «الَّتِي يَقْتَطِعُ بِهَا مَالَ امْرِئٍ مُسْلِمٍ هُوَ فِيهَا كَاذِبٌ». أَخْرَجَهُ مُسْلِمٌ .

1408. 'Abdullâh Ibn 'Umar (RAA) narrated, 'A desert Arab came to the Messenger of Allâh ﷺ and said,'O Messenger of Allâh! What are the most serious sins (the major sins)?' The narrator mentioned the hadîth which says,**"and the false oath.'**[425] I asked (i.e. Ibn 'Umar), 'What is the false oath?' The Messenger of Allâh ﷺ replied, **"It is that by which one takes the property of another Muslim, and he is lying about it** (intentionally)." Related by Muslim.

١٤٠٩ ــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - فِي قَوْلِهِ - تَعَالَى - : {لاَ يُؤَاخِذُكُمُ اللَّهُ بِاللَّغْوِ فِي أَيْمَانِكُمْ} قَالَتْ : «هُوَ قَوْلُ الرَّجُلِ : لاَ وَاللَّهِ ، وَبَلَى وَاللَّهِ». أَخْرَجَهُ الْبُخَارِيُّ ، وَرَوَاهُ أَبُو دَاوُدَ مَرْفُوعًا .

1409. 'Â'ishah (RAA) narrated regarding the verse, ***"Allâh***

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425- The false oath is called in Arabic, *Al-Yamîn al-Ghamûs* (the engulfing oath), which indicates that it overwhelms the one who took it in sin or in the Hell Fire.It is one of the Major sins which includes disbelief in Allâh, killing, magic, adultery, treating parents badly and drinking alcoholic drinks or narcotics.

***will not punish you for what is unintentional in your oaths" (5:89).*** 'It was revealed about such phrases as: 'No, by Allâh,' and 'Yes, by Allâh.' Related by Al-Bukhârî and Abû Dawûd.

١٤١٠ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِنَّ لِلَّهِ تِسْعَةً وَتِسْعِينَ اسْمًا ، مَنْ أَحْصَاهَا دَخَلَ الْجَنَّةَ». مُتَّفَقٌ عَلَيْهِ ، وَسَاقَ التِّرْمِذِيُّ ، وَابْنُ حِبَّانَ الأَسْمَاءَ ، وَالتَّحْقِيقُ أَنَّ سَرْدَهَا إِدْرَاجٌ مِنْ بَعْضِ الرُّوَاةِ.

1410. Abû Hurairah (RAA) narrated that Allâh's Messenger ﷺ said, **"Allâh has ninety-nine names.[426] He who retains them in his memory[427] will enter Paradise."** Agreed upon. At-Tirmidhî and Ibn Hibbân mentioned the ninety nine names, but it is the narrators who mentioned them and not the Prophet ﷺ.

١٤١١ ــ وَعَنْ أُسَامَةَ بْنِ زَيْدٍ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ صُنِعَ إِلَيْهِ مَعْرُوفٌ فَقَالَ لِفَاعِلِهِ : جَزَاكَ اللَّهُ خَيْرًا فَقَدْ أَبْلَغَ فِي الثَّنَاءِ». أَخْرَجَهُ التِّرْمِذِيُّ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

1411. Usâmah bin Zaid (RAA) narrated that Allâh's Messenger ﷺ said, **"If one is done a favor and he expresses** (his gratitude) **to his benefactor by saying, 'May Allâh give you a good reward' (*Jazâk Allâh Khairan*) he has fully expressed his appreciation.'** Related by At-Tirmidhî and Ibn Hibbân graded it as Sahîh.

١٤١٢ ــ وَعَنِ ابْنِ عُمَرَ عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنَّهُ نَهَى عَنِ النَّذْرِ ، وَقَالَ : «إِنَّهُ لاَ يَأْتِي بِخَيْرٍ ، وَإِنَّمَا يُسْتَخْرَجُ بِهِ مِنَ الْبَخِيلِ». مُتَّفَقٌ عَلَيْهِ .

1412. Ibn 'Umar (RAA) narrated, 'The Messenger of Allâh ﷺ

426- There are also other names which are attributed to Allâh.

427- What is meant is not just memorizing them, but comprehending their meanings and implications, observing them in one's behavior and acting accordingly etc..

forbade making vows (*Nadhr*)[428] and said, **"It will not bring** (you) **any good but it is only a means by which some of the wealth of the miserly is taken out."** Agreed upon.

١٤١٣ ـــ وَعَـــنْ عُقْـــبَةَ بْنِ عَامِرٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّـــهُ عَلَيْهِ وَسَلَّمَ : «كَفَّارَةُ النَّذْرِ كَفَّارَةُ يَمِينٍ». رَوَاهُ مُسْلِمٌ ، وَزَادَ التِّرْمِذِيُّ فِيهِ : «إِذَا لَمْ يُسَمِّهِ». وَصَحَّحَهُ .

1413. 'Uqbah bin 'Âmir (RAA) narrated that the Messenger of Allâh ﷺ said, **"The expiation for a vow (*Nadhr*) is the same as for an oath."** Related by Muslim. At-Tirmidhî has in his version, **"If he did not specify it."**

١٤١٤ ـــ وَلِأَبِـــي دَاوُدَ مِـــنْ حَدِيثِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - مَرْفُوعًا : «مَـــنْ نَذَرَ نَذْرًا لَمْ يُسَمِّهِ فَكَفَّارَتُهُ كَفَّارَةُ يَمِينٍ ، وَمَنْ نَذَرَ نَذْرًا فِي مَعْصِيَةٍ فَكَفَّارَتُهُ كَفَّارَةُ يَمِينٍ ، وَمَنْ نَذَرَ نَذْرًا لاَ يُطِيقُهُ فَكَفَّارَتُهُ كَفَّارَةُ يَمِينٍ». وَإِسْنَادُهُ صَحِيحٌ ، إِلاَّ أَنَّ الْحُفَّاظَ رَجَّحُوا وَقْفَهُ .

1414. Abû Dawûd transmitted on the authority of Ibn 'Abbâs (RAA), 'Allâh's Messenger ﷺ said, **"If anyone makes a vow but does not fulfill it, its expiation is the same as that for an oath; if anyone makes a vow to do an act of disobedience, its expiation is the same as that of an oath, if anyone makes a vow which he is unable to fulfill, its expiation is the same as that of an oath."** Its chain of narrators is <u>*Sahîh*</u>, but the scholars of hadîth said that it is not connected to the Prophet ﷺ but it is only the narration of Ibn 'Abbâs.

428- Making obligatory on oneself an act of worship which was not originally made obligatory by Allâh such as taking a vow to fast extra days or pray extra supererogatory prayers or pay charity when so and so happens (if any sick person recovers, if my absent comes back etc.).

١٤١٥ ـــ وللبخاري من حديث عائشة - رضي الله عنها - : «ومن نذر أن يعصي الله فلا يعصه».

1415. Al-Bukhârî transmitted on the authority of 'Â'ishah (RAA), "If anyone vows to disobey Allâh, let him not disobey Him."

١٤١٦ ـــ ولمسلم من حديث عمران : «لا وفاء لنذر في معصية».

1416. Muslim transmitted on the authority of 'Imrân, that 'Allâh's Messenger ﷺ said, **"A vow to do an act of disobedience must not be fulfilled."**

١٤١٧ ـــ وعن عقبة بن عامر قال : نذرت أختي أن تمشي إلى بيت الله حافية ، فأمرتني أن أستفتي لها رسول الله صلى الله عليه وسلم ، فاستفتيته فقال النبي صلى الله عليه وسلم : «لتمش ولتركب». متفق عليه ، واللفظ لمسلم .

1417. 'Uqbah Ibn 'Âmir (RAA) narrated, 'My sister made a vow to walk to the *Ka'bah* for pilgrimage on foot, and she ordered me to consult the Prophet ﷺ, so he consulted him and the Messenger of Allâh ﷺ said, **"Let her walk and ride."** Agreed upon, and it is Muslim's version.

١٤١٨ ـــ ولأحمد ، والأربعة : فقال : «إن الله - تعالى - لا يصنع بشقاء أختك شيئا ، مرها فلتختمر ، ولتركب ، ولتصم ثلاثة أيام».

1418. Ahmad and the four Imâms also reported that he said ﷺ, **"Allâh, the Most High will not do anything with the afflictions your sister imposes on herself, command her to put on her *Hijâb*[429]** (scarf) **and to ride, and to fast three days."**

429- It is mentioned in another narration that she made a vow to walk to the *Ka'bah* while taking her *hijâb* off, and that is why the Prophet ﷺ ordered her to wear her *hijâb* and to make expiation as this is an act of disobedience.

١٤١٩ ــ وَعَنْ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : اسْتَفْتَى سَعْدُ بْنُ عُبَادَةَ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فِي نَذْرٍ كَانَ عَلَى أُمِّهِ تُوُفِّيَتْ قَبْلَ أَنْ تَقْضِيَهُ ، فَقَالَ : «اقْضِهِ عَنْهَا». مُتَّفَقٌ عَلَيْهِ .

1419. Ibn ´Abbâs (RAA) narrated, 'Sa´d bin ´Ubâdah asked Allâh's Messenger ﷺ for a ruling regarding a vow made by his mother who had died before fulfilling it, and he replied ﷺ, **"Fulfill it on her behalf."** Agreed upon.

١٤٢٠ ــ وَعَنْ ثَابِتِ بْنِ الضَّحَّاكِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : نَذَرَ رَجُلٌ عَلَى عَهْدِ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنْ يَنْحَرَ إِبِلاً بِبُوَانَةَ ، فَأَتَى رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَسَأَلَهُ ، فَقَالَ : «هَلْ كَانَ فِيهَا وَثَنٌ يُعْبَدُ ؟» قَالَ : لاَ . قَالَ : «فَهَلْ كَانَ فِيهَا عِيدٌ مِنْ أَعْيَادِهِمْ ؟». فَقَالَ : لاَ . فَقَالَ : «أَوْفِ بِنَذْرِكَ ، فَإِنَّهُ لاَ وَفَاءَ لِنَذْرٍ فِي مَعْصِيَةِ اللَّهِ ، وَلاَ فِي قَطِيعَةِ رَحِمٍ ، وَلاَ فِيمَا لاَ يَمْلِكُ ابْنُ آدَمَ». رَوَاهُ أَبُو دَاوُدَ وَالطَّبَرَانِيُّ ، وَاللَّفْظُ لَهُ ، وَهُوَ صَحِيحُ الإِسْنَادِ .

1420. Thâbit bin ad-Dahhâk (RAA) narrated, 'During the lifetime of the Prophet ﷺ a man made a vow to slaughter camels at Bawânah and he came to Allâh's Messenger ﷺ and asked him. Allâh's Messenger ﷺ asked, **"Were there any idols worshipped at that place** (in the time of *Jâhiliyah*)?" He said, 'No.' The Messenger of Allâh ﷺ asked again, **"Was any *Jâhiliyah* festival celebrated there?"** He replied, 'No.' The Messenger of Allâh then said to the man, **"Fulfill your vow, for there is no fulfillment of a vow to do an act of disobedience to Allâh, neither to break the ties of kinship, nor to do something which a human being does not possess** (or has no control over)**."** Related by Abû Dawûd and At-Tabarânî and it is his version; it is narrated with a sound chain of narrators.

١٤٢١ ــ وَلَهُ شَاهِدٌ مِنْ حَدِيثِ كَرْدَمَ عِنْدَ أَحْمَدَ .

1421. There is a similar narration on the authority of Kardam transmitted by Ahmad.

١٤٢٢ ـــ وَعَـــنْ جَابِـــرٍ - رَضِـــيَ اللَّهُ تَعَالَى عَنْهُ - أَنَّ رَجُلاً قَالَ يَوْمَ الْفَتْحِ : يَا رَسُولَ اللَّهِ ، إِنِّي نَذَرْتُ إِنْ فَتَحَ اللَّهُ عَلَيْكَ مَكَّةَ أَنْ أُصَلِّيَ فِي بَيْتِ الْمَقْدِسِ . فَقَالَ : «صَـــلِّ هَـــا هُنَا» فَسَأَلَهُ ، فَقَالَ : «صَلِّ هَا هُنَا» فَسَأَلَهُ ، فَقَالَ : «فَشَأْنَكَ إِذًا». رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَصَحَّحَهُ الْحَاكِمُ .

1422. Jâbir (RAA) narrated, 'A man said on the Day of the Conquest of Makkah, "O Messenger of Allâh, I vowed that if Allâh opens Makkah for you, I shall pray in Jerusalem." The Messenger of Allâh ﷺ replied, **"Pray here."** He asked him again and the Prophet ﷺ again replied, **"Pray here."** The man asked the third time, and the Messenger of Allâh then said to him, **"It is up to you then."** Related by Ahmad and Abû Dawûd and Al-Hâkim graded it as *Sahîh*.

١٤٢٣ ـــ وَعَـــنْ أَبِي سَعِيدٍ الْخُدْرِيِّ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لاَ تُشَدُّ الرِّحَالُ إِلاَّ إِلَى ثَلاَثَةِ مَسَاجِدَ : مَسْجِدِ الْحَرَامِ ، وَمَسْجِدِ الأَقْصَى ، وَمَسْجِدِي هَذَا». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِلْبُخَارِيِّ .

1423. Abû Sa'îd al-Khudrî (RAA) narrated that the Messenger of Allâh said, **"No** (religious) **journey is to be undertaken except for prayer in one of the three mosques: *Al-Masjid Al-Harâm* (The Sacred Mosque in Makkah), the Aqsâ Mosque (in Jerusalem), and this Mosque of mine (in al-Madînah)."** Agreed upon and it is Al-Bukhârî's version.

١٤٢٤ ـــ وَعَـــنْ عُمَـــرَ قَالَ : قُلْتُ : يَا رَسُولَ اللَّهِ ، إِنِّي نَذَرْتُ فِي الْجَاهِلِيَّةِ أَنْ أَعْتَكِفَ لَيْلَةً فِي الْمَسْجِدِ الْحَرَامِ. قَالَ : «أَوْفِ بِنَذْرِكَ». مُتَّفَقٌ عَلَيْهِ ، وَزَادَ الْبُخَارِيُّ فِي رِوَايَةٍ : «فَاعْتَكَفَ لَيْلَةً».

1424. 'Umar (RAA) narrated, 'I said: O Messenger of Allâh! I made a vow at the time of *Jâhiliyah* to perform *I'tikâf* [430] for one

430- *I'tikâf* means remaining in a mosque (preferably a congregational mosque) for a certain period of time with the intention of remaining in seclusion from worldly matters, and keeping oneself busy with acts of worship such as praying, fasting, reciting Qur'ân, *dhikr* etc.

night at the Sacred Mosque (in Makkah)' The Messenger of Allâh ﷺ said to him, **"Fulfill your vow."** Agreed upon. Al-Bukhârî in his version had the addition, 'He ('Umar) spent a night in *I'tikâf* at the Sacred Mosque in Makkah.'

# كِتَابُ الْقَضَاءِ

# Book XIV: Judgments

## *Chapter I*

١٤٢٥ ــ عَنْ بُرَيْدَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «الْقُضَاةُ ثَلاَثَةٌ : اثْنَانِ فِي النَّارِ ، وَوَاحِدٌ فِي الْجَنَّةِ ، رَجُلٌ عَرَفَ الْحَقَّ فَقَضَى بِهِ فَهُوَ فِي الْجَنَّةِ ، وَرَجُلٌ عَرَفَ الْحَقَّ فَلَمْ يَقْضِ بِهِ ، وَجَارَ فِي الْحُكْمِ فَهُوَ فِي النَّارِ ، وَرَجُلٌ لَمْ يَعْرِفِ الْحَقَّ فَقَضَى لِلنَّاسِ عَلَى جَهْلٍ فَهُوَ فِي النَّارِ». رَوَاهُ الأَرْبَعَةُ ، وَصَحَّحَهُ الْحَاكِمُ .

1425. Buraidah (RAA) narrated that the Messenger of Allâh ﷺ said, **"Judges are of three types: two of whom will go to Hell and one to Paradise. The one who will go to Paradise is the judge who knew what is right and gives judgment accordingly; but a judge who knows what is right and does not give judgment accordingly; and acts unjustly in his judgment will go to Hell, and a judge who does not know what is right and judges people while ignorant** (of the case) **will go to Hell."**Related by the four Imâms and Al-Hâkim graded it as *Sahîh*.

١٤٢٦ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ وُلِّيَ الْقَضَاءَ فَقَدْ ذُبِحَ بِغَيْرِ سِكِّينٍ». رَوَاهُ أَحْمَدُ ، وَالأَرْبَعَةُ ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ ، وَابْنُ حِبَّانَ .

1426. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"He who has been appointed a judge has been slaughtered without a knife."** Related by Ahmad and the four Imâms. Ibn Khuzaimah and Ibn Hibbân graded it as *Sahîh*.

١٤٢٧ ــ وَعَنْهُ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِنَّكُمْ سَتَحْرِصُونَ عَلَى الإِمَارَةِ ، وَسَتَكُونُ نَدَامَةً يَوْمَ الْقِيَامَةِ ، فَنِعْمَتِ الْمُرْضِعَةُ ، وَبِئْسَتِ الْفَاطِمَةُ». رَوَاهُ الْبُخَارِيُّ .

1427. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"You will be eager for the office of ruling, but it will become a cause of regret on the Day of Judgment It is a good suckler but an evil weaner."** [431] Related by Al-Bukhârî.

١٤٢٨ ــ وَعَنْ عَمْرِو بْنِ الْعَاصِ - رَضِيَ اللَّهُ عَنْهُ - أَنَّهُ سَمِعَ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ : «إِذَا حَكَمَ الْحَاكِمُ فَاجْتَهَدَ ثُمَّ أَصَابَ فَلَهُ أَجْرَانِ ، وَإِذَا حَكَمَ فَاجْتَهَدَ ثُمَّ أَخْطَأَ فَلَهُ أَجْرٌ». مُتَّفَقٌ عَلَيْهِ .

1428. ´Amro bin al-´Âs (RAA) narrated that he heard the Messenger of Allâh ﷺ say, **"When a judge gives a ruling having tried his best to decide correctly and his verdict is right, he will have a double reward; and when he gives a ruling having tried his best to decide correctly and his verdict is wrong, he will have a single reward."** Agreed upon.

١٤٢٩ ــ وَعَنْ أَبِي بَكْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ : «لاَ يَحْكُمُ أَحَدٌ بَيْنَ اثْنَيْنِ وَهُوَ غَضْبَانُ». مُتَّفَقٌ عَلَيْهِ .

1429. Abî Bakrah (RAA) narrated, 'I heard the Messenger of Allâh ﷺ say, **"No judge may make a judgment between two people when he is angry."** Agreed upon.

١٤٣٠ ــ وَعَنْ عَلِيٍّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا تَقَاضَى إِلَيْكَ رَجُلاَنِ فَلاَ تَقْضِ لِلأَوَّلِ حَتَّى تَسْمَعَ كَلاَمَ الآخَرِ ،

431- It will be a source of pleasure and power in this world, but as it is a great responsibility, it will be a source of grief and regret on the Day of Resurrection.

فَسَـــوْفَ تَـــدْرِي كَيْفَ تَقْضِي». قَالَ عَلِيٌّ : فَمَا زِلْتُ قَاضِيًا بَعْدُ . رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَالتِّرْمِذِيُّ ، وَحَسَّنَهُ ، وَقَوَّاهُ ابْنُ الْمَدِينِي ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

1430. ´Alî (RAA) narrated that the Messenger of Allâh ﷺ said, **"When two men present a case before you, do not decide in favor of the first till you hear what the other has to say. Then you will know how to judge."** ´Alî said, 'Thereafter, I judged according to that.' Related by Ahmad, Abû Dawûd and At-Tirmidhî who graded it as *Hasan*. Ibn Hibbân graded it as *Sahîh*.

١٤٣١ ـــ وَلَهُ شَاهِدٌ عِنْدَ الْحَاكِمِ مِنْ حَدِيثِ ابْنِ عَبَّاسٍ .

1431. Al-Hâkim transmitted a similar hadîth on the authority of Ibn ´Abbâs.

١٤٣٢ ـــ وَعَـــنْ أُمِّ سَلَمَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَـــيْهِ وَسَـــلَّمَ : «إِنَّكُمْ تَخْتَصِمُونَ إِلَيَّ ، فَلَعَلَّ بَعْضَكُمْ أَنْ يَكُونَ أَلْحَنَ بِحُجَّتِهِ مِنْ بَعْضٍ ، فَأَقْضِي لَهُ عَلَى نَحْوِ مَا أَسْمَعُ مِنْهُ ، فَمَنْ قَطَعْتُ لَهُ مِنْ حَقِّ أَخِيهِ شَيْئًا فَإِنَّمَا أَقْطَعُ لَهُ قِطْعَةً مِنَ النَّارِ». مُتَّفَقٌ عَلَيْهِ .

1432. Umm Salamah narrated that the Messenger of Allâh ﷺ said, **"You bring your disputes to me, and perhaps some of you are more eloquent in their plea than others, in which case I will give a judgment based on what I heard from him. Therefore, whatever I rule for anyone, which by right belongs to his brother, I am only giving him a portion of Hell."** Agreed upon.

١٤٣٣ ـــ وَعَـــنْ جَابِـــرٍ قَالَ : سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ : «كَيْفَ تُقَدَّسُ أُمَّةٌ لاَ يُؤْخَذُ مِنْ شَدِيدِهِمْ لِضَعِيفِهِمْ ؟». رَوَاهُ ابْنُ حِبَّانَ .

1433. Jâbir (RAA) narrated, 'I heard the Messenger of Allâh ﷺ say, **"How can an *Ummah* (a nation) be purified** (of its sins) **when the right of its weak is not taken from its strong (the powerful)?"** Related by Ibn Hibbân.

١٤٣٤، ١٤٣٥ ــ وَلَــهُ شَاهِدٌ مِنْ حَدِيثِ بُرَيْدَةَ ، عِنْدَ الْبَزَّارِ . وَآخَرُ مِنْ حَدِيثِ أَبِي سَعِيدٍ عِنْدَ ابْنِ مَاجَهْ .

1434, 1435. Al-Bazzâr narrated a similar hadîth on the authority of Buraidah, and Ibn Mâjah on the authority of Abû Sa'îd.

١٤٣٦ ــ وَعَــنْ عَائِشَةَ – رَضِيَ اللَّهُ عَنْهَا – قَالَتْ : سَمِعْتُ رَسُولَ اللهِ صَلَّى اللَّهُ عَلَــيْهِ وَسَلَّمَ يَقُولُ : «يُدْعَى بِالْقَاضِي الْعَادِلِ يَوْمَ الْقِيَامَةِ ، فَيَلْقَى مِنْ شِدَّةِ الْحِسَابِ مَــا يَتَمَنَّى أَنَّهُ لَمْ يَقْضِ بَيْنَ اثْنَيْنِ فِي عُمُرِهِ». رَوَاهُ ابْنُ حِبَّانَ ، وَأَخْرَجَهُ الْبَيْهَقِيُّ ، وَلَفْظُهُ : «فِي تَمْرَةٍ».

1436. 'Â'ishah (RAA) narrated,'I heard the Messenger of Allâh ﷺ say, **"On the Day of Resurrection the just judge will be called** (to be asked about his judgments). **His questioning will be so hard that he will wish he had never given judgment even between two men throughout his life."** Related by Ibn Hibbân and Al-Baihaqî. The version of the latter has, **"...between two men about a single event ."**

١٤٣٧ ــ وَعَنْ أَبِي بَكْرَةَ – رَضِيَ اللَّهُ عَنْهُ – عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لَنْ يُفْلِحَ قَوْمٌ وَلَّوْا أَمْرَهُمُ امْرَأَةً». رَوَاهُ الْبُخَارِيُّ .

1437. Abû Bakrah (RAA) narrated that the Messenger of Allâh ﷺ said, **"The nation that appoints a woman as their ruler will never prosper."**[432] Related by Al-Bukhârî.

١٤٣٨ ــ وَعَــنْ أَبِــي مَــرْيَمَ الأَزْدِيِّ – رَضِــيَ اللَّهُ عَنْهُ – عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : « مَنْ وَلاَّهُ اللَّهُ شَيْئًا مِنْ أُمُورِ الْمُسْلِمِينَ فَاحْتَجَبَ عَنْ حَاجَتِهِمْ ،

432- The Messenger of Allâh said these words when the Persians enthroned Khosrau's daughter and made her their Empress. There is a difference of opinion among the scholars whether a woman could be appointed as a judge in court, but the majority are of the opinion that she is not to be appointed a judge in criminal courts where murders and similar trials are conducted.

وَفَقِيرِهِمْ ، احْتَجَبَ اللَّهُ دُونَ حَاجَتِهِ». أَخْرَجَهُ أَبُو دَاوُدَ ، وَالتِّرْمِذِيُّ .

1438. Abû Mariam al-Azdî (RAA) narrated that the Messenger of Allâh ﷺ said, **"If anyone is appointed by Allâh to be in a position of authority over any of the matters concerning the Muslims, but then turns away from attending to their needs and poverty, Allâh will turn away from dealing with his needs."** Related by Abû Dawûd and At-Tirmidhî.

١٤٣٩ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «لَعَنَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ الرَّاشِي وَالْمُرْتَشِيَ فِي الْحُكْمِ». رَوَاهُ أَحْمَدُ ، وَالأَرْبَعَةُ ، وَحَسَّنَهُ التِّرْمِذِيُّ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

1439. Abû Hurairah (RAA) narrated, 'The Messenger of Allâh ﷺ cursed the one who gives a bribe and the one who takes a bribe to pass judgments.' Related by Ahmad and the four Imâms. At-Tirmidhî graded it as *Hasan* and Ibn Hibbân graded it as *Sahîh*.

١٤٤٠ ــ وَلَهُ شَاهِدٌ مِنْ حَدِيثِ عَبْدِاللَّهِ بْنِ عَمْرٍو ، وَعِنْدَ الأَرْبَعَةُ إِلاَّ النَّسَائِيَّ .

1440. The four Imâms except An-Nasâ'î related a similar hadîth on the authority of ʿAbdullâh Ibn ʿAmro.

١٤٤١ ــ وَعَنْ عَبْدِاللَّهِ بْنِ الزُّبَيْرِ قَالَ : «قَضَى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنَّ الْخَصْمَيْنِ يَقْعُدَانِ بَيْنَ يَدَيِ الْحَاكِمِ». رَوَاهُ أَبُو دَاوُدَ ، وَصَحَّحَهُ الْحَاكِمُ .

1441. ʿAbdullâh bin Az-Zubair (RAA) narrated, 'The Messenger of Allâh ﷺ ruled that the two adversaries should sit (equally) in front of the judge.' Related by Abû Dawûd and Al-Hâkim graded it as *Sahîh*.

## بَابُ الشَّهَادَاتِ

## *Chapter II: Witnessing and Testimonies*

١٤٤٢ ــ عَنْ زَيْدِ بْنِ خَالِدٍ الْجُهَنِيِّ أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «أَلاَ أُخْبِرُكُمْ بِخَيْرِ الشُّهَدَاءِ ؟ هُوَ الَّذِي يَأْتِي بِالشَّهَادَةِ قَبْلَ أَنْ يُسْأَلَهَا». رَوَاهُ مُسْلِمٌ .

1442. Zaid bin Khâlid Al-Juhanî (RAA) narrated that the Messenger of Allâh ﷺ said, **"Shall I tell you about the best witness? He is the one who comes forward to give testimony before he is asked for it."**[433] Related by Muslim.

١٤٤٣ ـ وَعَنْ عِمْرَانَ بْنِ حُصَيْنٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِنَّ خَيْرَكُمْ قَرْنِي ، ثُمَّ الَّذِينَ يَلُونَهُمْ ، ثُمَّ الَّذِينَ يَلُونَهُمْ ، ثُمَّ يَكُونُ قَوْمٌ يَشْهَدُونَ وَلاَ يُسْتَشْهَدُونَ ، وَيَخُونُونَ وَلاَ يُؤْتَمَنُونَ ، وَيَنْذِرُونَ وَلاَ يُوفُونَ ، وَيَظْهَرُ فِيهِمُ السِّمَنُ». مُتَّفَقٌ عَلَيْهِ .

1443. 'Imrân bin Husain (RAA) narrated that the Messenger of Allâh ﷺ said, **"The best among you are my generation, then their immediate followers, then their immediate followers. After them there will be people who will give (false) testimony without being asked, who will be treacherous and are not to be trusted, who will make vows which they do not fulfill, among whom obesity will appear."** Agreed upon.

١٤٤٤ ـ وَعَنْ عَبْدِاللَّهِ بْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ تَجُوزُ شَهَادَةُ خَائِنٍ ، وَلاَ خَائِنَةٍ ، وَلاَ ذِي غِمْرٍ عَلَى أَخِيهِ ، وَلاَ تَجُوزُ شَهَادَةُ الْقَانِعِ لأَهْلِ الْبَيْتِ». رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ .

1444. 'Abdullâh Ibn 'Umar (RAA) narrated that the Messenger of Allâh ﷺ said, **"It is not allowable to accept the testimony of a treacherous man or a woman, or of one who harbors a grudge against his brother, or the servant of a family (to testify) for members of this family."** Related by Ahmad and Abû Dawûd.

١٤٤٥ ـ وَعَنْ أَبِي هُرَيْرَةَ أَنَّهُ سَمِعَ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لاَ تَجُوزُ شَهَادَةُ بَدَوِيٍّ عَلَى صَاحِبِ قَرْيَةٍ». رَوَاهُ أَبُو دَاوُدَ ، وَابْنُ مَاجَهْ .

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433- They are the ones who say their testimony for the sake of Allâh, so that justice could be established.

1445. Abû Hurairah (RAA) narrated, 'He heard the Messenger of Allâh ﷺ say, **"The testimony of a desert man against the dweller of a village** (or a town) **is not allowed."**[434] Related by Abû Dawûd and Ibn Mâjah.

١٤٤٦ ــ وَعَنْ عُمَرَ بْنِ الْخَطَّابِ أَنَّهُ خَطَبَ فَقَالَ : «إِنَّ أُنَاسًا كَانُوا يُؤْخَذُونَ بِالْوَحْيِ فِي عَهْدِ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، وَإِنَّ الْوَحْيَ قَدْ انْقَطَعَ ، وَإِنَّمَا نَأْخُذُكُمُ الآنَ بِمَا ظَهَرَ لَنَا مِنْ أَعْمَالِكُمْ». رَوَاهُ الْبُخَارِيُّ .

1446. 'Umar Ibn Al-Khaṯṯâb (RAA) addressed the people saying, 'People were sometimes judged by the revelation of a Divine Inspiration during the lifetime of the Prophet ﷺ, but now there is no longer any more (new revelations). Now you will be judged by what appears to us of your deeds.' Related by Al-Bukhârî.

١٤٤٧ ــ وَعَنْ أَبِي بَكْرَةَ – رَضِيَ اللَّهُ عَنْهُ – عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «أَنَّهُ عَدَّ شَهَادَةَ الزُّورِ فِي أَكْبَرِ الْكَبَائِرِ». مُتَّفَقٌ عَلَيْهِ ، فِي حَدِيثٍ طَوِيلٍ .

1447. Abû Bakrah (RAA) narrated that the Messenger of Allâh ﷺ said that bearing false testimony is among the most serious of the major sins.' Agreed upon. (Part of a long *Hadîth*).

١٤٤٨ ــ وَعَنِ ابْنِ عَبَّاسٍ – رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا – أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ لِرَجُلٍ : «تَرَى الشَّمْسَ ؟» قَالَ : نَعَمْ . قَالَ : «عَلَى مِثْلِهَا فَاشْهَدْ ، أَوْ دَعْ». أَخْرَجَهُ ابْنُ عَدِيٍّ بِإِسْنَادٍ ضَعِيفٍ ، وَصَحَّحَهُ الْحَاكِمُ فَأَخْطَأَ .

1448. Ibn 'Abbâs (RAA) narrated, 'The Messenger of Allâh ﷺ said to a man, **"Do you see the sun?"** He replied, 'Yes.' The Prophet ﷺ said, **"Bear your testimony in a case as clear as the**

434- The reason is that the nomads are not familiar with the circumstances of the village and city dwellers, so they are not allowed to testify against them. In this case the testimony of another city dweller is more acceptable. Nevertheless if the nomad is more informed about the relevant case, than anybody else, then his testimony is acceptable provided he is just.

**sun** (for you), **or leave it."**[435] Related by Ibn ´Adî with a weak chain of narrators.

١٤٤٩ ــ وَعَنْهُ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَضَى بِيَمِينٍ وَشَاهِدٍ». أَخْرَجَهُ مُسْلِمٌ ، وَأَبُو دَاوُدَ ، وَالنَّسَائِيُّ ، وَقَالَ : إِسْنَادُهُ جَيِّدٌ .

1449. Ibn ´Abbâs (RAA) narrated, 'The Messenger of Allâh ﷺ made a judgment on the basis of an oath and a single witness.' Related by Muslim, Abû Dawûd and An-Nasâ'î.

١٤٥٠ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - مِثْلَهُ . أَخْرَجَهُ أَبُو دَاوُدَ ، وَالتِّرْمِذِيُّ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

1450. Abû Hurairah (RAA) narrated a similar hadîth which was transmitted by Abû Dawûd and At-Tirmidhî. Ibn Hibbân graded it as *Sahîh*.

## بَابُ الدَّعَاوَى وَالْبَيِّنَاتِ

## *Chapter III: Claims and Evidence*

١٤٥١ ــ عَنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لَوْ يُعْطَى النَّاسُ بِدَعْوَاهُمْ لَادَّعَى نَاسٌ دِمَاءَ رِجَالٍ وَأَمْوَالَهُمْ ، وَلَكِنِ الْيَمِينُ عَلَى الْمُدَّعَى عَلَيْهِ». مُتَّفَقٌ عَلَيْهِ .

1451. Ibn ´Abbâs (RAA) narrated that the Messenger of Allâh ﷺ said, **"If people were given what they asked for when they brought a case forward, some would claim the lives and property of others, but an oath must be taken by the defendants."** Agreed upon.

١٤٥٢ ــ وَلِلْبَيْهَقِيِّ بِإِسْنَادٍ صَحِيحٍ : «الْبَيِّنَةُ عَلَى الْمُدَّعِي وَالْيَمِينُ عَلَى مَنْ أَنْكَرَ».

1452. Al-Baihaqî narrated with a sound chain of narrators,

435- This means that either the person giving his testimony is absolutely certain about the case or he should abstain from producing his testimony.

**"But the proof lies with the claimant and the oath must be taken by him who denies the claim."**

١٤٥٣ ــ وَعَــنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ عَرَضَ عَلَى قَوْمٍ الْيَمِينَ ، فَأَسْرَعُوا ، فَأَمَرَ أَنْ يُسْهَمَ بَيْنَهُمْ فِي الْيَمِينِ : أَيُّهُمْ يَحْلِفُ». رَوَاهُ الْبُخَارِيُّ .

1453. Abû Hurairah (RAA) narrated, 'The Messenger of Allâh ﷺ suggested to some people that they should swear an oath and when they hastened to do so he ordered that lots should be cast among them concerning the oath as to who should swear it.' Related by Al-Bukhârî.

١٤٥٤ ــ وَعَنْ أَبِي أُمَامَةَ الْحَارِثِيِّ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «مَنِ اقْتَطَعَ حَقَّ امْرِئٍ مُسْلِمٍ بِيَمِينِهِ فَقَدْ أَوْجَبَ اللَّهُ لَهُ النَّارَ ، وَحَــرَّمَ عَلَــيْهِ الْجَنَّةَ». فَقَالَ لَهُ رَجُلٌ : وَإِنْ كَانَ شَيْئًا يَسِيرًا يَا رَسُولَ اللَّهِ ؟ قَالَ : «وَإِنْ كَانَ قَضِيبًا مِنْ أَرَاكٍ». رَوَاهُ مُسْلِمٌ .

1454. Abû Umâmah Al-Hârithî (RAA) narrated that the Messenger of Allâh ﷺ said, **"If anyone through his oath, cuts down what rightly belongs to a Muslim, Allâh has made Hell compulsory for him and will deprive him of Paradise."** A man asked, "O Allâh's Messenger, even if it is something small?" And he replies, **"Even If it were a stick from an *Arâk* tree."** Related by Muslim.

١٤٥٥ ــ وَعَــنْ الأَشْعَثِ بْنِ قَيْسٍ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّــهُ عَلَيْهِ وَسَلَّمَ قَالَ : «مَنْ حَلَفَ عَلَى يَمِينٍ يَقْتَطِعُ بِهَا مَالَ امْرِئٍ مُسْلِمٍ هُوَ فِيهَا فَاجِرٌ لَقِيَ اللَّهَ وَهُوَ عَلَيْهِ غَضْبَانُ». مُتَّفَقٌ عَلَيْهِ .

1455. Al-Ash´ath bin Qais(RAA) narrated that the Messenger of Allâh ﷺ said, **"If anyone swears a firm oath, and takes what is due to it; the property belonging to a Muslim, Allâh will be angry with him when he meets Him (on the Day of Resurrection)."** Agreed upon.

١٤٥٦ ـــ وَعَـــنْ أَبِي مُوسَى - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - : «أَنَّ رَجُلَيْنِ اخْتَصَمَا فِي دَابَّـــةٍ ، وَلَيْسَ لِوَاحِدٍ مِنْهُمْ بَيِّنَةٌ ، فَقَضَى بِهَا رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بَيْنَهُمَا نِصْفَيْنِ» . رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَالنَّسَائِيُّ ، وَهَذَا لَفْظُهُ ، وَقَالَ : إِسْنَادُهُ جَيِّدٌ .

1456. Abû Mûsâ (RAA) narrated, 'Two men had a dispute over an animal, but none of them had any proof. So Allâh's Messenger ﷺ gave a ruling that it be divided in halves between them.' Related by Ahmad, Abû Dawûd and An-Nasâ'î and the version is his, and he reported its chain of narrators to be good.

١٤٥٧ ـــ وَعَـــنْ جَابِـــرٍ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «مَنْ حَلَفَ عَلَى مِنْبَرِي هَذَا بِيَمِينٍ آثِمَةٍ تَبَوَّأَ مَقْعَدَهُ مِنَ النَّارِ». رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَالنَّسَائِيُّ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

1457. Jâbir (RAA) narrated that the Messenger of Allâh ﷺ said, **"If any one swears a false oath on this pulpit of mine, he would have prepared his seat in Hell."** Related by Ahmad, Abû Dawûd and An-Nasâ'î. Ibn Hibbân graded it as *Sahîh*.

١٤٥٨ ـــ وَعَـــنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «ثَلاثَةٌ لاَ يُكَلِّمُهُمُ اللَّهُ يَوْمَ الْقِيَامَةِ ، وَلاَ يَنْظُرُ إِلَيْهِمْ ، وَلاَ يُزَكِّيهِمْ، وَلَهُمْ عَذَابٌ أَلِيمٌ : رَجُلٌ عَلَى فَضْلِ مَاءٍ بِالْفَلاَةِ يَمْنَعُهُ مِنِ ابْنِ السَّبِيلِ ، وَرَجُلٌ بَايَعَ رَجُلاً بِسِلْعَةٍ بَعْدَ الْعَصْرِ فَحَلَفَ لَهُ بِاللَّهِ : لأَخَذَهَا بِكَذَا وَكَذَا ، فَصَدَّقَهُ ، وَهُوَ عَلَى غَـــيْرِ ذَلِكَ ، وَرَجُلٌ بَايَعَ إِمَامًا لاَ يُبَايِعُهُ إِلاَّ لِلدُّنْيَا ، فَإِنْ أَعْطَاهُ مِنْهَا وَفَى ، وَإِنْ لَمْ يُعْطِهِ مِنْهَا لَمْ يَفِ». مُتَّفَقٌ عَلَيْهِ .

1458. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"There are three to whom Allâh will not speak on the Day of Judgment, at whom He will not look, and whom He will not purify, and they will have a painful punishment: A man at a place with excess water in the desert and he withholds it from travelers; a man who sold a com-**

**modity to another person in the afternoon(or after the *'Asr* prayer) and swore to him by Allâh that he had bought it at such and such a price and he (the buyer) believed him yet that was not the case, and a man who pledged allegiance to the Imâm but for the sake of worldly matters** (i.e. not for Allâh's sake), **if the Imâm bestowed on him something out of worldly riches he adheres to his allegiance, and if he did not give him anything, he did not fulfill the allegiance."** Agreed upon.

١٤٥٩ ــ وَعَنْ جَابِرٍ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - : أَنَّ رَجُلَيْنِ اخْتَصَمَا فِي نَاقَةٍ ، فَقَالَ كُلُّ وَاحِدٍ مِنْهُمَا : نُتِجَتْ هَذِهِ النَّاقَةُ عِنْدِي ، وَأَقَامَا بَيِّنَةً ، فَقَضَى بِهَا رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لِمَنْ هِيَ فِي يَدِهِ .

1459. Jâbir (RAA) narrated, 'Two men disputed about a she-camel and each of them produced some proof that it was his animal, and that it was born at his place.' Allâh's Messenger ﷺ ruled it for the one who had it in his possession.' Related by Ad-Dâraqutnî with a weak chain of narrators.

١٤٦٠ ــ وَعَنْ ابْنِ عُمَرَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا - «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ رَدَّ الْيَمِينَ عَلَى طَالِبِ الْحَقِّ». رَوَاهُمَا الدَّارَقُطْنِيُّ ، وَفِي إِسْنَادِهِما ضَعْفٌ .

1460. Ibn 'Umar (RAA) narrated, 'The Messenger of Allâh ﷺ restored the oath to be sworn by the claimant (and not the defendant).' Related by Ad-Dâraqutnî with a weak chain of narrators.

١٤٦١ ــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : دَخَلَ عَلَيَّ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ذَاتَ يَوْمٍ مَسْرُورًا تَبْرُقُ أَسَارِيرُ وَجْهِهِ ، فَقَالَ : «أَلَمْ تَرَيْ إِلَى مُجَزِّزٍ الْمُدْلِجِيِّ ؟ نَظَرَ آنِفًا إِلَى زَيْدِ بْنِ حَارِثَةَ ، وَأُسَامَةَ بْنِ زَيْدٍ ، فَقَالَ : «هَذِهِ الأَقْدَامُ بَعْضُهَا مِنْ بَعْضٍ». مُتَّفَقٌ عَلَيْهِ .

1461. 'Â'ishah (RAA) narrated,'One day, Allâh's Messenger ﷺ came to me looking happy while his face was glistening and said,

**"Did you not see that Mujazziz Al-Mudlijî** (a physiognomist) **He looked at Zaid bin Hârithah and Usâmah bin Zaid, and then said, "These feet are related to one another."**[436] Agreed upon.

436- Zaid bin Hârithah the freed slave of the Prophet ﷺ had a white complexion whereas Usâmah his son was rather dark.. Usâmah's mother Umm Aiman was also dark, but people started to talk about Usâmah's lineage because he was dark while his father was white. Mujazziz Al – Mudlijî saw them lying down with their faces covered with linen, while their feet were bare. He then commented upon looking at their feet with the words mentioned in the hadîth which pleased the Prophet ﷺ.

# كِتَابُ الْعِتْقِ

# Book XV: Emancipation

## *Chapter I*

١٤٦٢ ـــ عَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «أَيُّمَا امْرِئٍ مُسْلِمٍ أَعْتَقَ امْرَأً مُسْلِمًا اسْتَنْقَذَ اللَّهُ بِكُلِّ عُضْوٍ مِنْهُ عُضْوًا مِنْهُ مِنَ النَّارِ». مُتَّفَقٌ عَلَيْهِ .

1462. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"Any Muslim, who emancipates another Muslim man, Allâh will set free from Hell Fire an organ of his body, for every organ of the other's** (i.e. from the body of the emancipated person )**."** Agreed upon.

١٤٦٣ ـــ وَلِلتِّرْمِذِيِّ ، وَصَحَّحَهُ ، عَنْ أَبِي أُمَامَةَ - رَضِيَ اللَّهُ عَنْهُ - : «وَأَيُّمَا امْرِئٍ مُسْلِمٍ أَعْتَقَ امْرَأَتَيْنِ مُسْلِمَتَيْنِ كَانَتَا فِكَاكَهُ مِنَ النَّارِ».

1463. At-Tirmidhî transmitted on the authority of Abû Umâmah (RAA), 'The Messenger of Allâh ﷺ said, **"Any Muslim man, who emancipates two Muslim women, they will be his release from Hell Fire."** At-Tirmidhî graded it as Sahîh.

١٤٦٤ ـــ وَلِأَبِي دَاوُدَ مِنْ حَدِيثِ كَعْبِ بْنِ مُرَّةَ - رَضِيَ اللَّهُ عَنْهُ - وَأَيُّمَا امْرَأَةٍ مُسْلِمَةٍ أَعْتَقَتْ امْرَأَةً مُسْلِمَةً كَانَتْ فِكَاكَهَا مِنَ النَّارِ».

1464. Abû Dawûd transmitted on the authority of Ka'b bin Murrah (RAA), 'The Messenger of Allâh ﷺ said, **"Any Muslim woman, who emancipates another Muslim woman, she will be her release from Hell Fire."**

١٤٦٥ ــ وَعَــنْ أَبِــي ذَرٍّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : سَأَلْتُ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ : أَيُّ الْعَمَلِ أَفْضَلُ ؟ قَالَ : «إِيمَانٌ بِاللَّهِ ، وَجِهَادٌ فِي سَبِيلِه». قُلْتُ : فَأَيُّ الرِّقَابِ أَفْضَلُ ؟ قَالَ : «أَغْلاَهَا ثَمَنًا وَأَنْفَسُهَا عِنْدَ أَهْلِهَا». مُتَّفَقٌ عَلَيْهِ .

1465. Abû Dharr (RAA) narrated, I asked the Messenger of Allâh ﷺ 'Which action is the most excellent?' He replied, **"Faith in Allâh and Jihâd in His Cause."** I then asked, 'Which slaves are the most excellent (for the purpose of emancipating them) and he replied, **"Those whose prices are the highest and are the most valuable to their owners."** Agreed upon.

١٤٦٦ ــ وَعَــنْ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَــيْهِ وَسَلَّمَ : «مَنْ أَعْتَقَ شِرْكًا لَهُ فِي عَبْدٍ ، فَكَانَ لَهُ مَالٌ يَبْلُغُ ثَمَنَ الْعَبْدِ قُوِّمَ قِيمَةَ عَدْلٍ ، فَأَعْطَى شُرَكَاءَهُ حِصَصَهُمْ ، وَعَتَقَ عَلَيْهِ الْعَبْدَ ، وَإِلاَّ فَقَدْ عَتَقَ مِنْهُ مَا عَتَقَ». مُتَّفَقٌ عَلَيْهِ .

1466. Ibn 'Umar (RAA) narrated that the Messenger of Allâh ﷺ said, **"Anyone who emancipates his share in a slave and has enough money to pay the full price for him, a fair price for the slave should be fixed. His partners should be given their shares, and the slave should thus be emancipated. Otherwise he is emancipated only to the extent of the first man's share."** Agreed upon.

١٤٦٧ ــ وَلَهُمَــا عَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - : «وَإِلاَّ قُوِّمَ عَلَيْهِ وَاسْتُسْعِيَ غَيْرَ مَشْقُوقٍ عَلَيْهِ» ، وَقِيلَ : إِنَّ السِّعَايَةَ مُدْرَجَةٌ فِي الْخَبَرِ .

1467. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"Otherwise he will be required to work to pay for his freedom, but he must not be overburdened."** Agreed upon.

١٤٦٨ ــ وَعَنْ أَبِي هُرَيْرَةَ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ يَجْزِي وَلَدٌ وَالِدَهُ إِلاَّ أَنْ يَجِدَهُ مَمْلُوكًا فَيَشْتَرِيَهُ فَيُعْتِقَهُ». رَوَاهُ مُسْلِمٌ .

1468. Abû Hurairah (RAA), narrated that the Messenger of

Allâh ﷺ said, **"A son cannot ever repay his parents what he owes them,[437] unless he finds them in slavery, then buys them and emancipates them."** Related by Muslim.

١٤٦٩ ــ وَعَــنْ سَــمُرَةَ بْنِ جُنْدَبٍ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ قَــالَ : «مَــنْ مَلَــكَ ذَا رَحِمٍ مَحْرَمٍ فَهُوَ حُرٌّ». رَوَاهُ أَحْمَدُ ، وَالأَرْبَعَةُ ، وَرَجَّحَ جَمْعٌ مِنَ الْحُفَّاظِ أَنَّهُ مَوْقُوفٌ .

1469. Samurah bin Jundub (RAA) narrated that the Messenger of Allâh ﷺ said, **"Whoever obtains possession of a relative, who is next of kin, that person becomes free."** Related by Ahmad and the four Imâms. Some scholars are of the opinion that it is *Mawqûf* (not connected to the Prophet ﷺ)

١٤٧٠ ــ وَعَــنْ عِمْــرَانَ بْنِ حُصَيْنٍ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ رَجُلاً أَعْتَقَ سِتَّةَ مَمَالِــيكَ لَهُ ، عِنْدَ مَوْتِهِ ، لَمْ يَكُنْ لَهُ مَالٌ غَيْرُهُمْ ، فَدَعَا بِهِمْ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَــيْهِ وَسَــلَّمَ فَجَزَّأَهُمْ ثَلاثًا ثُمَّ أَقْرَعَ بَيْنَهُمْ ، فَأَعْتَقَ اثْنَيْنِ وَأَرَقَّ أَرْبَعَةً ، وَقَالَ قَوْلاً شَدِيدًا». رَوَاهُ مُسْلِمٌ .

1470. 'Imrân bin Husain (RAA) narrated, 'A man who had no other property emancipated six of his slaves at the time of his death. Allâh's Messenger ﷺ sent for them, and after dividing them into three groups, he cast lots among them, set two of them free and kept four in slavery, and spoke very harshly to the man (who emancipated them).'[438] Related by Muslim.

١٤٧١ ــ وَعَــنْ سَــفِينَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «كُنْتُ مَمْلُوكًا لأُمِّ سَلَمَةَ ، فَقَالَتْ : أُعْتِقُكَ وَأَشْتَرِطُ عَلَيْكَ أَنْ تَخْدُمَ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ مَا

437- Meaning all that he did for him, bringing him up, keeping him, supporting him, caring for him etc.

438- This hadîth is evidence that only one third of a dead man's property could be given in his will, to those who are not of his legal heirs.

عِشْتَ». رَوَاهُ أَحْمَدُ ، وَأَبُو دَوُادَ ، وَالنَّسَائِيُّ ، وَالْحَاكِمُ .

1471. Safînah (RAA) narrated, 'I was a slave of Umm Salamah and she said, 'I shall emancipate you, but on the condition that you serve Allâh's Messenger ﷺ as long as you live.' Related by Ahmad, Abû Dawûd, An-Nasâ'î and Al-Hâkim.

١٤٧٢ ــ وَعَــنْ عَائِشَةَ – رَضِيَ اللَّهُ عَنْهَا – أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «إِنَّمَا الْوَلاَءُ لِمَنْ أَعْتَقَ». مُتَّفَقٌ عَلَيْهِ ، فِي حَدِيثٍ طَوِيلٍ .

1472. 'Â'ishah (RAA) narrated that the Messenger of Allâh ﷺ said, **"*Walâ'*[439] is (legally) for the manumitter."** Agreed upon. It is part of a long Hadîth (refer to hadîth no. 811).

١٤٧٣ ــ وَعَــنْ ابْنِ عُمَرَ – رَضِيَ اللَّهُ عَنْهُمَا – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «الْوَلاَءُ لُحْمَةٌ كَلُحْمَةِ النَّسَبِ ، لاَ يُبَاعُ وَلاَ يُوهَبُ». رَوَاهُ الشَّافِعِيُّ ، وَصَحَّحَهُ ابْنُ حِبَّانَ ، والْحَاكِمُ ، وَأَصْلُهُ فِي الصَّحِيحَيْنِ بِغَيْرِ هَذَا اللَّفْظِ .

1473. Ibn 'Umar (RAA) narrated that the Messenger of Allâh ﷺ said, **"The *Walâ'* (of a manumitted slave) is considered as one's lineage, not to be sold or donated** (refer to hadîth no. 984)." Related by Ash-Shâfi'î. Ibn Hibbân and Al-Hâkim graded it as *Sahîh*. It is also related by Al-Bukhârî and Muslim with different wording

439- *Walâ'* refers to the right of inheriting the property of a manumitted slave after his death. Refer to hadîth no. 811.

## بَـــابُ الْمُـــدَبَّـــرِ، وَالْمُكَاتَـــبِ، وَأُمِّ الْـــوَلَـــدِ

## *Chapter II: Issues related to al-Mudabbar[440] al-Mukâtib[441] and Umm al-Walad[442]*

١٤٧٤ ـــ عَـــنْ جَابِـــرٍ - رَضِيَ اللَّهُ عَنْهُ - ، أَنَّ رَجُلاً مِنَ الأَنْصَارِ أَعْتَقَ غُلاَمًا لَهُ عَـــنْ دُبُـــرٍ ، وَلَمْ يَكُنْ لَهُ مَالٌ غَيْرُهُ ، فَبَلَغَ ذَلِكَ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ : «مَـــنْ يَشْتَرِيهِ مِنِّي ؟» فَاشْتَرَاهُ نُعَيْمُ بْنُ عَبْدِاللَّهِ بِثَمَانِمِئَةِ دِرْهَمٍ . مُتَّفَقٌ عَلَيْهِ ، وَفِي لَفْـــظٍ لِلْـــبُخَارِيِّ : فَاحْتَاجَ ، وَفِي رِوَايَةِ النَّسَائِيِّ : وَكَانَ عَلَيْهِ دَيْنٌ فَبَاعَهُ بِثَمَانِمِئَةِ دِرْهَمٍ ، فَأَعْطَاهُ ، وَقَالَ : «اقْضِ دَيْنَكَ» .

1474. Jâbir bin ´Abdullâh (RAA) narrated that a man from the *Ansâr* declared that his slave lad would be free after his death (would be *Mudabbar*), yet he had no other property. When the Prophet ﷺ heard of that he said, **"Who will buy him from me?"** And Nu´aim bin ´Abdullâh bought him for eight hundred Dirhams. Agreed upon.

In a narration by Al-Bukhârî: 'The man became needy,' (so the Prophet ﷺ took the slave and said...).'

A version by An-Nasâ'î says, 'The man had a debt, so the Prophet ﷺ sold the slave for eight hundred Dirhams and gave him the money and said, **"Pay off your debt."**

١٤٧٥ ـــ وَعَنْ عَمْرِو بْنِ شُعَيْبٍ عَنْ أَبِيهِ عَنْ جَدِّهِ عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَـــالَ : «الْمُكَاتَـــبُ عَبْدٌ مَا بَقِيَ عَلَيْهِ مِنْ مُكَاتَبَتِهِ دِرْهَمٌ». أَخْرَجَهُ أَبُو دَاوُدَ بِإِسْنَادٍ حَسَنٍ ، وَأَصْلُهُ عِنْدَ أَحْمَدَ وَالثَّلاَثَةِ ، وَصَحَّحَهُ الْحَاكِمُ .

1475. ´Amro bin Shu´aib narrated on the authority of his fath-

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440- A slave who is told by his master that he will be free after his (the master's) death.

441- A slave, who makes an agreement with his master to pay him a certain amount of money in return for gaining his freedom.

442- This literary means the mother of a child. She is the slave woman, who gives birth to her master's children, who would be born free.

er, on the authority of his grandfather (RAA), that the Messenger of Allâh ﷺ said, **"A slave who entered into an agreement to buy his freedom is still a slave as long as a Dirham of the agreed price remains to be paid."**[443] Related by Abû Dawûd with a good chain of narrators. The full hadîth is related by Ahmad and the three Imâms. Al-Hâkim graded it to be *Sahîh*.

١٤٧٦ ــ وَعَــنْ أُمِّ سَلَمَةَ – رَضِيَ اللَّهُ عَنْهَا – قَالَتْ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا كَانَ لإِحْدَاكُنَّ مُكَاتَبٌ ، وَكَانَ عِنْدَهُ مَا يُؤَدِّي فَلْتَحْتَجِبْ مِنْهُ». رَوَاهُ أَحْمَدُ وَالأَرْبَعَةُ ، وَصَحَّحَهُ التِّرْمِذِيُّ .

1476. Umm Salamah (RAA) narrated that the Messenger of Allâh ﷺ said, **"When a slave of one of your women has made an agreement to pay for his freedom** (i.e. he is a *Mukâtib*) **and can pay the full price, she must veil herself from him."** Related by Ahmad and the four Imâms. At-Tirmidhî graded it as *Sahîh*.

١٤٧٧ ــ وَعَــنْ ابْــنِ عَبَّاسٍ – رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا – أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ قَالَ : «يُؤَدَّى الْمُكَاتَبُ بِقَدْرِ مَا عُتِقَ مِنْهُ دِيَةَ الْحُرِّ ، وَبِقَدْرِ مَا رَقَّ مِنْهُ دِيَةَ الْعَبْدِ». رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَ النَّسَائِيُّ .

1477. Ibn 'Abbâs (RAA) narrated that the Messenger of Allâh ﷺ said, **"The *Diyah* (Blood money) of a slave who had made an agreement to buy his freedom *(Mukâtib)* and had been killed, is paid at the rate paid for a free man (as a *Diyah*) as much as he has paid of the amount agreed upon, and at the rate paid for a slave as the remainder is concerned."**[444] Related by Ahmad, Abû Dawûd and An-Nasâ'î.

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443- This refers to *al-Mukâtib* who remains under the same rulings, which are applicable to a slave until he pays the full amount. Agreed upon.

444- This hadîth seems to be contradictory to the hadîth of 'Amro bin Shu'aib (1461) that a slave 'is still a slave as long as a Dirham of the agreed price remains to be paid.' But most scholars are of the opinion that a *Mukâtib* is still a slave regarding legal punishments and blood money as long as he still owes his owner one Dirham. Some scholars still believe

١٤٧٨ ـــ وَعَـــنْ عَمْـــرِو بْـــنِ الْحَارِثِ - أَخِي جُوَيْرِيَةَ أُمِّ الْمُؤْمِنِينَ - رَضِيَ اللَّهُ عَـــنْهُمَا - قَالَ : «مَا تَرَكَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عِنْدَ مَوْتِهِ دِرْهَمًا ، وَلاَ دِيـــنَارًا ، وَلاَ عَبْدًا ، وَلاَ أَمَةً ، وَلاَ شَيْئًا ، إِلاَّ بَغْلَتَهُ الْبَيْضَاءَ وَسِلاَحَهُ وَأَرْضًا جَعَلَهَا صَدَقَةً». رَوَاهُ الْبُخَارِيُّ .

1478. ʿAmro bin al-Hârith, the brother of Juwairiyah the mother of Believers (the wife of the Prophet ﷺ) narrated, 'When Allâh's Messenger ﷺ died, he did not leave a Dînâr or a Dirham, a slave or a slave-woman, or anything but his white she-mule, his weapons and a piece of land which he appointed as *Sadaqah*.' Related by Al-Bukhârî.

١٤٧٩ ـــ وَعَنْ ابْنِ عَبَّاسٍ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «أَيُّمَا أَمَةٍ وَلَـــدَتْ مِـــنْ سَـــيِّدِهَا فَهِيَ حُرَّةٌ بَعْدَ مَوْتِهِ». أَخْرَجَهُ ابْنُ مَاجَهْ ، وَالْحَاكِمُ بِإِسْنَادٍ ضَعِيفٍ ، وَرَجَّحَ جَمَاعَةٌ وَقْفَهُ عَلَى عُمَرَ - رَضِيَ اللَّهُ عَنْهُ - .

1479. Ibn ʿAbbâs (RAA) narrated that Allâh's Messenger ﷺ said, **"When a man's slave-woman bears him a child she becomes free at his death."** Related by Ibn Mâjah and Al-Hâkim with a weak chain of narrators.

١٤٨٠ ـــ وَعَنْ سَهْلِ بْنِ حُنَيْفٍ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : قَالَ : «مَنْ أَعَانَ مُجَاهِدًا فِي سَبِيلِ اللَّهِ ، أَوْ غَارِمًا فِي عُسْرَتِهِ ، أَوْ مُكَاتَبًا فِي رَقَبَتِهِ ، أَظَلَّهُ اللَّهُ يَوْمَ لاَ ظِلَّ إِلاَّ ظِلُّهُ». رَوَاهُ أَحْمَدُ ، وَصَحَّحَهُ الْحَاكِمُ .

1480. Sahl bin Hunaif (RAA) narrated that the Messenger of Allâh ﷺ said, **"He who assists a *Mujâhid for* Allâh's sake, a debtor who is in distress** (being unable to pay his debt) **or a slave who had made an agreement to buy his freedom, Allâh will shade him, with His Shade, on the Day when there will be no shade but His."** Related by Ahmad and Al-Hâkim graded it as *Sahîh*.

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that that this is not the case, taking this hadîth as their evidence, but some scholars said that it is abrogated and the first hadîth is the more established one.

# كِـتَـابُ الْجَـامِـعِ

# Book XVI: The Comprehensive Book

## بَـابُ الأَدَبِ

## *Chapter I: Good Manners (Adab)*

١٤٨١ ــ عَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «حَقُّ الْمُسْلِمِ عَلَى الْمُسْلِمِ سِتٌّ : إِذَا لَقِيتَهُ فَسَلِّمْ عَلَيْهِ ، وَإِذَا دَعَاكَ فَأَجِبْهُ ، وَإِذَا اسْتَنْصَحَكَ فَانْصَحْهُ ، وَإِذَا عَطَسَ فَحَمِدَ اللَّهَ فَشَمِّتْهُ ، وَإِذَا مَرِضَ فَعُدْهُ ، وَإِذَا مَاتَ فَاتْبَعْهُ». رَوَاهُ مُسْلِمٌ .

1481. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"A Muslim has six duties towards other Muslims: When you meet him, you should salute him; when he invites you, accept his invitation; when he asks for your advice, give it to him; when he sneezes and praises Allâh, say 'May Allâh have mercy on you;' when he is ill, visit him; and when he dies follow his funeral."** Related by Muslim.

١٤٨٢ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «انْظُرُوا إِلَى مَنْ هُوَ أَسْفَلَ مِنْكُمْ ، وَلاَ تَنْظُرُوا إِلَى مَنْ هُوَ فَوْقَكُمْ ، فَهُوَ أَجْدَرُ أَنْ لاَ تَزْدَرُوا نِعْمَةَ اللَّهِ عَلَيْكُمْ». مُتَّفَقٌ عَلَيْهِ .

1482. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"Look at those who are lower than you** (financially) **but do not look at those who are higher than you, lest you belittle the favors Allâh conferred upon you."**Agreed upon.

١٤٨٣ ــ وَعَنِ النَّوَّاسِ بْنِ سَمْعَانَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : سَأَلْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَنِ الْبِرِّ وَالإِثْمِ ، فَقَالَ : «الْبِرُّ حُسْنُ الْخُلُقِ ، وَالإِثْمُ مَا حَاكَ فِي صَدْرِكَ ، وَكَرِهْتَ أَنْ يَطَّلِعَ عَلَيْهِ النَّاسُ». أَخْرَجَهُ مُسْلِمٌ .

1483. An-Nawwâs bin Sam´ân (RAA) narrated, 'I asked the Messenger of Allâh ﷺ about virtue and sin and he replied, **"The essence of virtue is** (manifested in) **good morals *(Akhlâq)* whereas sinful conduct[445] is that which turns in your heart** (making you feel uncomfortable) **and you dislike that it would be disclosed to other people**." Related by Muslim.

١٤٨٤ ـــ وَعَـــنْ ابْنِ مَسْعُودٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا كُنْتُمْ ثَلاثَةً فَلاَ يَتَنَاجَى اثْنَانِ دُونَ الآخَرِ ، حَتَّى تَخْتَلِطُوا بِالنَّاسِ ، مِنْ أَجْلِ أَنَّ ذَلِكَ يُحْزِنُهُ». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِمُسْلِمٍ .

1484. Ibn Mas´ûd (RAA) narrated that the Messenger of Allâh ﷺ said, **"When three of you get together in company, two of you must not talk privately while isolating the third, so as not to make him feel sad (that he is left out) till you mingle with other people (i.e. you are joined by others)."** Agreed upon and the wording is from Muslim.

١٤٨٥ ـــ وَعَنْ ابْنِ عُمَرَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ يُقِيمُ الرَّجُلُ الرَّجُلَ مِنْ مَجْلِسِهِ ثُمَّ يَجْلِسُ فِيهِ ، وَلَكِنْ تَفَسَّحُوا وَتَوَسَّعُوا». مُتَّفَقٌ عَلَيْهِ .

1485. Ibn 'Umar (RAA) narrated that the Messenger of Allâh ﷺ said, **"A man should not ask another man to get up from his place in order to take his seat. But you should make room for each other and spread out."** Agreed upon.

١٤٨٦ ـــ وَعَنْ ابْنِ عَبَّاسٍ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا أَكَلَ أَحَدُكُمْ طَعَامًا فَلاَ يَمْسَحْ يَدَهُ حَتَّى يَلْعَقَهَا أَوْ يُلْعِقَهَا». مُتَّفَقٌ عَلَيْهِ .

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445- A sin could be that action, which should a person commit it, he would be subjected to punishment according to Islâmic *Sharî´ah*. A sin in this hadîth refers to that action, which a person does not feel comfortable about doing, even though it is not explicitly prohibited by the *Sharî´ah*, it is not definitely lawful or acceptable and one fears that Allâh will punish him for doing it, even if people cannot see him. It is better in this case to avoid it.

1486. Ibn ´Abbâs (RAA) narrated that the Messenger of Allâh ﷺ said, **"When one of you eats, he must not wipe his hand till he licks it, or gives it to someone else to lick** (such as a wife, husband, etc)[446]**."** Agreed upon.

١٤٨٧ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لِيُسَلِّمَ الصَّغِيرُ عَلَى الْكَبِيرِ ، وَالْمَارُّ عَلَى الْقَاعِدِ ، وَالْقَلِيلُ عَلَى الْكَثِيرِ». مُتَّفَقٌ عَلَيْهِ ، وَفِي رِوَايَةٍ لِمُسْلِمٍ : «وَالرَّاكِبُ عَلَى الْمَاشِي».

1487. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"The young should salute the old, the one who is passing by should salute the one who is sitting, and the small group of people should salute the larger one."** Agreed upon.

In a version by Muslim, **"And the one who is riding should salute the one who is walking."**

١٤٨٨ ــ وَعَنْ عَلِيٍّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «يُجْزِئُ عَنِ الْجَمَاعَةِ إِذَا مَرُّوا أَنْ يُسَلِّمَ أَحَدُهُمْ ، وَيُجْزِئُ عَنِ الْجَمَاعَةِ أَنْ يَرُدَّ أَحَدُهُمْ». رَوَاهُ أَحْمَدُ ، وَالْبَيْهَقِيُّ .

1488. ´Alî (RAA) narrated that the Messenger of Allâh ﷺ said, **"When a group of people passes by, it is sufficient if one of them gives a salutation, and it is sufficient for those who are sitting that one of them replies."**[447] Related by Ahmad and Al-Baihaqî.

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446- The reason for this is explained in another hadîth as the Messenger of Allâh ﷺ said, **"You never know which portion of your food is blessed** (has *Barakah*)**."** It is not meant to be obligatory as most scholars say, rather it is just preferable or recommended for the intended good.

447- Greeting with *Salâm* or responding to *Salâm* (the Muslim greeting), is a collective duty, thus if one greets or answers the greeting then the obligation or duty is met on behalf of the rest.

١٤٨٩ ــ وَعَنْهُ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ تَبْدَأُوا الْيَهُودَ وَلاَ النَّصَارَى بِالسَّلاَمِ ، وَإِذَا لَقِيتُمُوهُمْ فِي طَرِيقٍ فَاضْطَرُّوهُمْ إِلَى أَضْيَقِهِ». أَخْرَجَهُ مُسْلِمٌ .

1489. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"Do not initiate the saluting of Jews and Christians** (when you meet them), **and if you meet any of them on the road, force him to go to the narrowest part of the road** (i.e. do not give way for them to pass, but keep going)."[448] Related by Muslim.

١٤٩٠ ــ وَعَنْهُ عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «إِذَا عَطَسَ أَحَدُكُمْ فَلْيَقُلِ : الْحَمْدُ لِلَّهِ ، وَلْيَقُلْ لَهُ أَخُوهُ : يَرْحَمُكَ اللَّهُ ، فَإِذَا قَالَ لَهُ : يَرْحَمُكَ اللَّهُ ، فَلْيَقُلْ لَهُ : يَهْدِيكُمُ اللَّهُ ، وَيُصْلِحُ بَالَكُمْ». أَخْرَجَهُ الْبُخَارِيُّ .

1490. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"When one of you sneezes, he should say, '*Alhamdu-lillâh*(Praise is to Allâh) and his**(Muslim) **brother should say to him, '*Yarhamuka Allâh* (May Allâh have mercy on you). When he says this to him** (the last phrase), **he should reply, '*Yahdîkum Allâh* (May Allâh guide you) and grant you well being."** Related by Al-Bukhârî.

١٤٩١- وَعَنْهُ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ يَشْرَبَنَّ أَحَدُكُمْ قَائِمًا». أَخْرَجَهُ مُسْلِمٌ .

1491. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"None of you should drink while standing.[449]"** Rela-ted by Muslim.

448- When the Jews used to meet the Prophet ﷺ in Madînah, they used to say to him *'as-Sâm 'Alaykum'*, instead of saying *'As-Salamu 'Alaykum'*. The word *as-Sâm* means death in Arabic, so the Jews instead of answering back the salutation of the Muslims, which is peace be upon you, they used to wish the Prophet ﷺ death.

449- It is not meant to be prohibited to drink water while standing, rather it is disliked as it is narrated by Ibn 'Abbâs that the Prophet ﷺ drank from the well of *Zamzam* while he was standing.

١٤٩٢ ــ وَعَنْهُ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا انْتَعَلَ أَحَدُكُمْ فَلْيَبْدَأْ بِالْيَمِينِ ، وَإِذَا نَزَعَ فَلْيَبْدَأْ بِالشِّمَالِ ، وَلْتَكُنْ الْيُمْنَى أَوَّلَهُمَا تُنْعَلُ وَآخِرَهُمَا تُنْزَعُ». مُتَّفَقٌ عَلَيْهِ .

1492. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"When one of you puts on his shoes, he should put on the right one first and when he takes them off, he should take off the left one first, so that the right one should be the first to be put on and the last to be taken off."**[450] Agreed upon.

١٤٩٣ ــ وَعَنْهُ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ يَمْشِ أَحَدُكُمْ فِي نَعْلٍ وَاحِدَةٍ ، وَلْيَنْعِلْهُمَا جَمِيعًا أَوْ لِيَخْلَعْهُمَا جَمِيعًا». مُتَّفَقٌ عَلَيْهِ .

1493. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said,**"None of you should walk with one shoe, but should either wear them both or take them both off."** Agreed upon.

١٤٩٤ ــ وَعَنْ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ يَنْظُرُ اللَّهُ إِلَى مَنْ جَرَّ ثَوْبَهُ خُيَلاَءَ». مُتَّفَقٌ عَلَيْهِ .

1494. Ibn 'Umar (RAA) narrated that the Messenger of Allâh ﷺ said, **"Allâh will not look on the Day of Judgment at him who lets his garment drag on the ground out of pride and arrogance."** Agreed upon.

١٤٩٥ ــ وَعَنْهُ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «إِذَا أَكَلَ أَحَدُكُمْ فَلْيَأْكُلْ بِيَمِينِهِ ، وَإِذَا شَرِبَ فَلْيَشْرَبْ بِيَمِينِهِ ، فَإِنَّ الشَّيْطَانَ يَأْكُلُ

450- Any honorable act in Islâm is always done with the right hand or starts with the right side, such as salutation, eating getting dressed, making *ghusl*, combing one's hair. On the other hand, acts like cleaning the private parts after going to the toilet is done with the left hand.

بِشِمَالِهِ ، وَيَشْرَبُ بِشِمَالِهِ». أَخْرَجَهُ مُسْلِمٌ .

1495. Ibn 'Umar narrated that the Messenger of Allâh ﷺ said, **"When one of you eats he should eat with his right hand, and when he drinks he should drink with his right hand, for the devil eats and drinks with his left hand."** Related by Muslim.

١٤٩٦ ــ وَعَــنْ عَمْرِو بْنِ شُعَيْبٍ عَنْ أَبِيهِ عَنْ جَدِّهِ - رَضِيَ اللَّهُ عَنْهُمْ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «كُلْ ، وَاشْرَبْ ، وَالْبَسْ ، وَتَصَدَّقْ فِي غَيْرِ سَرَفٍ وَلاَ مَخِيلَةٍ». أَخْرَجَهُ أَبُو دَاوُدَ ، وَأَحْمَدُ ، وَعَلَّقَهُ الْبُخَارِيُّ .

1496. 'Amro bin Shu'aib narrated on the authority of his father, on the authority of his grandfather (RAA), that the Messenger of Allâh ﷺ said, **"Eat, drink, wear clothes and give *Sadaqah* but with neither extravagance nor pride."** Related by Abû Dawûd and Ahmad.

## بَــابُ الْبِــرِّ وَالصِّــلَــةِ

## *Chapter II: Birr (Piety, righteousness, acts of goodness) and keeping ties with one's kin*

١٤٩٧ ــ عَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ أَحَبَّ أَنْ يُبْسَطَ لَهُ فِي رِزْقِهِ ، وَأَنْ يُنْسَأَ لَهُ فِي أَثَرِهِ ، فَلْيَصِلْ رَحِمَهُ». أَخْرَجَهُ الْبُخَارِيُّ .

1497. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"He who wishes to have his earnings grow** (and be blessed) **and his term of life prolonged,[451] he should keep ties with his kin."** Related by Al-Bukhârî.

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451- Not necessarily meaning that he will live extra years, but maybe a more blessed life with more good deeds, leaving behind pious children who will make *Du'â* for him etc.

١٤٩٨ ــ وَعَنْ جُبَيْرِ بْنِ مُطْعِمٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ يَدْخُلُ الْجَنَّةَ قَاطِعٌ» ؛ يَعْنِي قَاطِعَ رَحِمٍ ، مُتَّفَقٌ عَلَيْهِ .

1498. Jubair bin Mut'am (RAA) narrated that the Messenger of Allâh ﷺ said, **"The one who severs the ties of kinship will not enter Paradise."** Agreed upon.

١٤٩٩ ــ وَعَنْ الْمُغِيرَةِ بْنِ شُعْبَةَ أَنَّ رَسُولَ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «إِنَّ اللَّهَ حَرَّمَ عَلَيْكُمْ عُقُوقَ الأُمَّهَاتِ ، وَوَأْدَ الْبَنَاتِ ، وَمَنْعًا وَهَاتِ ، وَكَرِهَ لَكُمْ قِيلَ وَقَالَ ، وَكَثْرَةَ السُّؤَالِ ، وَإِضَاعَةَ الْمَالِ». مُتَّفَقٌ عَلَيْهِ .

1499. Al-Mughîrah bin Shu'bah (RAA) narrated that the Messenger of Allâh ﷺ said, **"Allâh has made it prohibited for you to be disrespectful (showing undutiful behavior) to your mothers, to bury your daughters alive, to refuse others (their dues), and to demand things from others** (which are not worth demanding)**, and He hates that you engage in gossip, asking many questions about people's affairs and wasting wealth."** Agreed upon.

١٥٠٠ ــ وَعَنْ عَبْدِاللَّهِ بْنِ عَمْرِو بْنِ الْعَاصِ - رَضِيَ اللَّهُ عَنْهُمَا - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «رِضَى اللهِ فِي رِضَى الْوَالِدَيْنِ ، وَسَخَطُ اللهِ فِي سَخَطِ الْوَالِدَيْنِ». أَخْرَجَهُ التِّرْمِذِيُّ ، وَصَحَّحَهُ ابْنُ حِبَّانَ ، وَالْحَاكِمُ .

1500. 'Abdullâh bin 'Amro bin al-'Âs (RAA) narrated that the Messenger of Allâh ﷺ said, **"Allâh's pleasure results from the parent's pleasure, and Allâh's displeasure results from the parent's displeasure."** Related by At-Tirmidhî. Ibn Hibbân and al-Hâkim graded it as *Sahîh*.

١٥٠١ ــ وَعَنْ أَنَسٍ عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنَّهُ قَالَ : «وَالَّذِي نَفْسِي بِيَدِهِ لاَ يُؤْمِنُ عَبْدٌ حَتَّى يُحِبَّ لِجَارِهِ مَا يُحِبُّ لِنَفْسِهِ». مُتَّفَقٌ عَلَيْهِ .

1501. Anas (RAA) narrated that the Messenger of Allâh ﷺ said, **"By Him in Whose Hand my soul is, a slave of Allâh**

**does not truly believe till he wishes for his neighbor what he wishes for himself."** Agreed upon.

١٥٠٢ ـــ وَعَنْ ابْنِ مَسْعُودٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : سَأَلْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : أَيُّ الذَّنْبِ أَعْظَمُ ؟ قَالَ : «أَنْ تَجْعَلَ لِلَّهِ نِدًّا وَهُوَ خَلَقَكَ». قُلْتُ : ثُمَّ أَيُّ ؟ قَالَ : «أَنْ تَقْتُلَ وَلَدَكَ خَشْيَةَ أَنْ يَأْكُلَ مَعَكَ». ثُمَّ أَيُّ ؟ قَالَ : «أَنْ تُزَانِي بِحَلِيلَةِ جَارِكَ». مُتَّفَقٌ عَلَيْهِ .

1502. Ibn Mas´ûd (RAA) narrated, 'I asked the Messenger of Allâh ﷺ: "Which sin is the most serious?" He replied, **"To attribute a partner to Allâh, though He Alone has created you."** I asked, "What next?" He said, **"To kill your child, fearing that he will share your food with you."** I asked again, "What next?" He said, **"To commit adultery with you neighbor's wife."** Agreed upon.

١٥٠٣ ـــ وَعَنْ عَبْدِاللَّهِ بْنِ عَمْرِو بْنِ الْعَاصِ - رَضِيَ اللَّهُ عَنْهُمَا - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «مِنَ الْكَبَائِرِ شَتْمُ الرَّجُلِ وَالِدَيْهِ» ، قِيلَ : وَهَلْ يَسُبُّ الرَّجُلُ وَالِدَيْهِ ؟ قَالَ : «نَعَمْ ، يَسُبُّ أَبَا الرَّجُلِ ، فَيَسُبُّ الرَّجُلُ أَبَاهُ ، وَيَسُبُّ أُمَّهُ فَيَسُبُّ أُمَّهُ». مُتَّفَقٌ عَلَيْهِ .

1503. ´Abdullâh bin ´Amro bin al-´Âs (RAA) narrated that the Messenger of Allâh ﷺ said, **"For a man to insult his parents, is one of the major sins."** It was asked, 'Does a man insult his parents?' He replied ﷺ, **"Yes, he insults the father of a man who in return insults his father, and he insults a man's mother who in return insults his."** Agreed upon.

١٥٠٤ ـــ وَعَنْ أَبِي أَيُّوبَ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لاَ يَحِلُّ لِمُسْلِمٍ أَنْ يَهْجُرَ أَخَاهُ فَوْقَ ثَلاَثِ لَيَالٍ : يَلْتَقِيَانِ ، فَيُعْرِضُ هَذَا ، وَيُعْرِضُ هَذَا ، وَخَيْرُهُمَا الَّذِي يَبْدَأُ بِالسَّلاَمِ». مُتَّفَقٌ عَلَيْهِ .

1504. Abû Aiyûb (RAA) narrated that the Messenger of Allâh ﷺ said, **"It is not permissible for a Muslim to shun his brother for more than three nights. When they meet, this one**

**turns away** (from that one) **and that one turns away** (from this one) **and the best of them is the one who greets his brother first."** Agreed upon.

١٥٠٥ ــ وَعَــنْ جَابِــرٍ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «كُلُّ مَعْرُوفٍ صَدَقَةٌ». أَخْرَجَهُ الْبُخَارِيُّ .

1505. Jâbir bin ʻAbdullâh (RAA) narrated that the Messenger of Allâh ﷺ said, **"Every act of goodness is** (considered as) ***Sadaqah.*"** Related by Al-Bukhârî.

١٥٠٦ ــ وَعَــنْ أَبِي ذَرٍّ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ تَحْقِرَنَّ مِنَ الْمَعْرُوفِ شَيْئًا ، وَلَوْ أَنْ تَلْقَى أَخَاكَ بِوَجْهٍ طَلْقٍ».

1506. Abû Dharr (RAA) narrated that the Messenger of Allâh ﷺ said, **"Do not consider any act of goodness as being insignificant even if it is meeting your brother with a cheerful face."** Related by Muslim.

١٥٠٧ ــ وَعَنْهُ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا طَبَخْتَ مَرَقَةً فَأَكْثِرْ مَاءَهَا وَتَعَاهَدْ جِيرَانَكَ». أَخْرَجَهُمَا مُسْلِمٌ .

1507. Abû Dharr (RAA) narrated that the Messenger of Allâh ﷺ said,**"When you make some soup, make a good amount by adding plenty of liquid, and give some to your neighbors."**[452] Related by Muslim.

١٥٠٨ ــ وَعَنْ أَبِي هُرَيْرَةَ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ : «مَنْ نَفَّسَ عَنْ مُسْلِمٍ كُرْبَةً مِنْ كُرَبِ الدُّنْيَا نَفَّسَ اللَّهُ عَنْهُ كُرْبَةً مِنْ كُرَبِ يَــوْمِ الْقِــيَامَةِ ، وَمَنْ يَسَّرَ عَلَى مُعْسِرٍ يَسَّرَ اللَّهُ عَلَيْهِ فِي الدُّنْيَا وَالآخِرَةِ ، وَمَنْ سَتَرَ مُسْــلِمًا سَتَرَهُ اللَّهُ فِي الدُّنْيَا وَالآخِرَةِ ، وَاللَّهُ فِي عَوْنِ الْعَبْدِ مَا كَانَ الْعَبْدُ فِي عَوْنِ أَخِيهِ». أَخْرَجَهُ مُسْلِمٌ .

452- This would be compulsory if the neighbors are poor, otherwise it is recommended to be given as a present.

1508. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"If anyone relieves a Muslim believer from one of the hardships of this worldly life, Allâh will relieve him of one of the hardships of the Day of Resurrection. If anyone makes it easy for the one who is indebted to him** (while finding it difficult to repay ),[453] **Allâh will make it easy for him in this worldly life and in the Hereafter, and if anyone conceals the faults of a Muslim, Allâh will conceal his faults in this world and in the Hereafter. Allâh helps His slave as long as he helps his brother."** Related by Muslim.

١٥٠٩ ــ وَعَــنْ ابْنِ مَسْعُودٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ دَلَّ عَلَى خَيْرٍ فَلَهُ مِثْلُ أَجْرِ فَاعِلِهِ». أَخْرَجَهُ مُسْلِمٌ .

1509. Ibn Mas´ûd (RAA) narrated that the Messenger of Allâh ﷺ said, **"He who guides** (others) **to an act of goodness, will have a reward similar to that of its doer."** Related by Muslim.

١٥١٠ ــ وَعَــنْ ابْــنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَــالَ : «مَنِ اسْتَعَاذَكُمْ بِاللَّهِ فَأَعِيذُوهُ ، وَمَنْ سَأَلَكُمْ بِاللَّهِ فَأَعْطُوهُ ، وَمَنْ أَتَى إِلَيْكُمْ مَعْرُوفًا فَكَافِئُوهُ ، فَإِنْ لَمْ تَجِدُوا فَادْعُوا لَهُ». أَخْرَجَهُ الْبَيْهَقِيُّ .

1510. Ibn ´Umar (RAA) narrated that the Messenger of Allâh ﷺ said, **"If anyone seeks refuge in Allâh's name, grant him protection; if anyone asks you for something in Allâh's name**[454] **give him something; and if anyone does you a favor recompense him, but if you do not have the means to do so, make *Du´â* (supplication) for him."** Related by Al-Baihaqî.

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453- He could relieve him of part of the debt, the whole debt or give him more time to repay it.

454- Especially those who ask out of dire necessity.

## بَابُ الزُّهْدِ وَالْوَرَعِ

## *Chapter III: Zuhd (Abstinence) and Piety*

١٥١١ ــ عَنِ النُّعْمَانِ بْنِ بَشِيرٍ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ - وَأَهْوَى النُّعْمَانُ بِإِصْبَعَيْهِ إِلَى أُذُنَيْهِ - : «إِنَّ الْحَلاَلَ بَيِّنٌ ، وَالْحَرَامَ بَيِّنٌ ، وَبَيْنَهُمَا مُشْتَبِهَاتٌ ، لاَ يَعْلَمُهُنَّ كَثِيرٌ مِنَ النَّاسِ ، فَمَنِ اتَّقَى الشُّبُهَاتِ فَقَدِ اسْتَبْرَأَ لِدِينِهِ وَعِرْضِهِ ، وَمَنْ وَقَعَ فِي الشُّبُهَاتِ وَقَعَ فِي الْحَرَامِ : كَالرَّاعِي يَرْعَى حَوْلَ الْحِمَى يُوشِكُ أَنْ يَقَعَ فِيهِ ، أَلاَ وَإِنَّ لِكُلِّ مَلِكٍ حِمًى ، أَلاَ وَإِنَّ حِمَى اللَّهِ مَحَارِمُهُ ، أَلاَ وَإِنَّ فِي الْجَسَدِ مُضْغَةً إِذَا صَلَحَتْ صَلَحَ الْجَسَدُ كُلُّهُ ، وَإِذَا فَسَدَتْ فَسَدَ الْجَسَدُ كُلُّهُ ، أَلاَ وَهِيَ الْقَلْبُ». مُتَّفَقٌ عَلَيْهِ .

1511. An-Nu´mân bin Bashîr (RAA) narrated, 'I heard Allah's Messenger ﷺ saying, (Nu´mân pointed with his two fingers to his ears) **'Both lawful *(Halâl)* and unlawful things *(Harâm)* are evident but in between them there are doubtful things**[455] **and most people have no knowledge about them. So he, who saves himself from these doubtful things, saves his religion and his honor** (i.e. keeps them blameless). **And he who indulges in these doubtful things is like a shepherd who pastures** (his animals) **near the *Himâ* (private pasture) of someone else and at any moment he is liable to get in it. (O people!) Beware! Every king has a *Himâ* and the *Himâ* of Allâh on the earth is what He declared unlawful *(Harâm)*. Beware! In the body there is a piece of flesh if it becomes sound and healthy, the whole body becomes sound and healthy but if it gets spoilt, the whole body gets spoilt and that is the heart."** Agreed upon.

١٥١٢ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «تَعِسَ عَبْدُ الدِّينَارِ وَالدِّرْهَمِ وَالْقَطِيفَةِ ، إِنْ أُعْطِيَ رَضِيَ ، وَإِنْ لَمْ يُعْطَ

455- Doubtful here means that it is not clear whether they are definitely *Halâl* or *Harâm*.

لَمْ يَرْضَ». أَخْرَجَهُ الْبُخَارِيُّ .

1512. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"Cursed is he, who is the slave of the Dînâr, the slave of the Dirham, and the slave of the cloak bordered with silk. If he is given anything he would be satisfied, but if he is not given anything he is displeased."** Related by Al-Bukhârî.

١٥١٣ ـــ وَعَـــنْ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : أَخَذَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بِمَنْكِبَيَّ ، فَقَالَ : «كُنْ فِي الدُّنْيَا كَأَنَّكَ غَرِيبٌ ، أَوْ عَابِرُ سَبِيلٍ». وَكَانَ ابْـــنُ عُمَـــرَ - رَضِـــيَ اللَّهُ عَنْهُمَا - يَقُولُ : إِذَا أَمْسَيْتَ فَلاَ تَنْتَظِرِ الصَّبَاحَ ، وَإِذَا أَصْـــبَحْتَ فَلاَ تَنْتَظِرِ الْمَسَاءَ ، وَخُذْ مِنْ صِحَّتِكَ لِسَقَمِكَ ، وَمِنْ حَيَاتِكَ لِمَوْتِكَ . أَخْرَجَهُ الْبُخَارِيُّ .

1513. Ibn 'Umar (RAA) narrated, 'Allâh's Messenger ﷺ took hold of my shoulders and said, **"Be in this world as though you were a stranger or a passerby."** Ibn 'Umar used to say, "If you are alive in the evening, do not expect to be alive till the morning and if you are alive in the morning do not expect to be alive till the evening, and take from your health for your sickness, and from your life for your death."[456] Related by Al-Bukhârî.

١٥١٤ ـــ وَعَـــنْ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ تَشَبَّهَ بِقَوْمٍ فَهُوَ مِنْهُمْ». أَخْرَجَهُ أَبُو دَاوُدَ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

1514. Ibn 'Umar (RAA) narrated that the Messenger of Allâh ﷺ said, **"He who imitates any people** (in their actions) **is considered to be one of them."**[457] Related by Abû Dawûd and Ibn Hibbân graded it as *Sahîh*.

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456- He means that you should make good use of the time when you are healthy as there will be a time when you are sick and you will not be able to do much and the same goes for the time when you are alive, to benefit you when you are dead.

457- The hadîth is referring to imitating the disbelievers and those, who are disobedient in their actions, which go against the laws of Islâm, and not simply imitating them, but actually loving these acts.

١٥١٥ ـــ وَعَنْ ابْنِ عَبَّاسٍ – رَضِيَ اللَّهُ عَنْهُمَا – قَالَ : كُنْتُ خَلْفَ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَوْمًا ، فَقَالَ : «يَا غُلامُ ، احْفَظِ اللَّهَ يَحْفَظْكَ ، احْفَظِ اللَّهَ تَجِدْهُ تُجَاهَكَ ، وَإِذَا سَأَلْتَ فَاسْأَلِ اللَّهَ ، وَإِذَا اسْتَعَنْتَ فَاسْتَعِنْ بِاللَّهِ». رَوَاهُ التِّرْمِذِيُّ ، وَقَالَ : حَسَنٌ صَحِيحٌ .

1515. Ibn ´Abbâs (RAA) narrated,'One day I was riding behind the Prophet ﷺ when he said, **"O lad, be mindful of Allâh and He will protect you. Be mindful of Allâh and you shall find Him with you. When you ask (for anything), ask it from Allâh, and if you seek help, seek help from Allâh."** Related by At-Tirmidhî who verified it as Hasan and Sahîh.

١٥١٦ ـــ وَعَنْ سَهْلِ بْنِ سَعْدٍ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : جَاءَ رَجُلٌ إِلَى النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ : يَا رَسُولَ اللَّهِ ، دُلَّنِي عَلَى عَمَلٍ إِذَا عَمِلْتُهُ أَحَبَّنِي اللَّهُ ، وَأَحَبَّنِي النَّاسُ . فَقَالَ : «ازْهَدْ فِي الدُّنْيَا يُحِبَّكَ اللَّهُ ، وَازْهَدْ فِيمَا عِنْدَ النَّاسِ يُحِبَّكَ النَّاسُ». رَوَاهُ ابْنُ مَاجَهْ ، وَغَيْرُهُ ، وَسَنَدُهُ حَسَنٌ .

1516. Sahl bin Sa´d (RAA) narrated, 'A man came to the Prophet ﷺ and said, "O Allâh's Messenger, direct me to a deed which if I do it, I shall be loved by Allâh and by people."He replied, **"If you practice abstinence in this world, Allâh will love you, and if you abstain from (desiring) what people have, they will love you**." Related by Ibn Mâjah and others with a good chain of narrators.

١٥١٧ ـــ وَعَنْ سَعْدِ بْنِ أَبِي وَقَّاصٍ قَالَ : سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ : «إِنَّ اللَّهَ يُحِبُّ الْعَبْدَ التَّقِيَّ الْغَنِيَّ الْخَفِيَّ». أَخْرَجَهُ مُسْلِمٌ .

1517. Sa´d bin Abî Waqqâs (RAA) narrated, 'I heard Allâh's Messenger ﷺ saying, "Allâh loves the pious rich man[458] who is inconspicuous (free from showing off or hypocrisy)." Related by Muslim.

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458- Scholars said that 'rich' here does not necessarily mean material wealth, but rich at heart.

١٥١٨ ـــ وَعَـــنْ أَبِـــي هُرَيْــرَةَ قَـــالَ : قَالَ رَسُولُ اللّٰهِ صَلَّى اللّٰهُ عَلَيْهِ وَسَلَّمَ : «مِنْ حُسْنِ إِسْلاَمِ الْمَرْءِ تَرْكُهُ مَا لاَ يَعْنِيهِ». رَوَاهُ التِّرْمِذِيُّ ، وَقَالَ : حَسَنٌ .

1518. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"A sign of man's good observance of Islâm (his piety) is to keep away from the that which does not concern him."**Related by At-Tirmidhî who graded it as *Hadîth Hasan*.

١٥١٩ ـــ وَعَـــنْ الْمِقْـــدَامِ بْـــنِ مَعْدِ يَكْرِبَ قَالَ : قَالَ رَسُولُ اللّٰهِ صَلَّى اللّٰهُ عَلَيْهِ وَسَلَّمَ : «مَا مَلأَ ابْنُ آدَمَ وِعَاءً شَرًّا مِنْ بَطْنِهِ». أَخْرَجَهُ التِّرْمِذِيُّ ، وَحَسَّنَهُ .

1519. Al-Miqdâm bin Ma´diakrib (RAA), narrated that Allâh's Messenger *Hasan* said, **"A human being has never filled any vessel which is worse than his own belly."** Related by At-Tirmidhî, who graded it to be *Hasan*.

١٥٢٠ ـــ وَعَـــنْ أَنَـــسٍ - رَضِيَ اللّٰهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللّٰهِ صَلَّى اللّٰهُ عَلَيْهِ وَسَـــلَّمَ : «كُـــلُّ بَنِي آدَمَ خَطَّاءٌ ، وَخَيْرُ الْخَطَّائِينَ التَّوَّابُونَ». أَخْرَجَهُ التِّرْمِذِيُّ ، وَابْنُ مَاجَهْ ، وَسَنَدُهُ قَوِيٌّ .

1520. Anas (RAA) narrated that Allâh's Messenger *Hasan* said, "**All the sons of Adam are sinners, but the best of sinners are those who repent often**." Related by At-Tirmidhî and Ibn Mâjah with a strong chain of narrators.

١٥٢١ ـــ وَعَـــنْ أَنَـــسٍ - رَضِيَ اللّٰهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللّٰهِ صَلَّى اللّٰهُ عَلَيْهِ وَسَـــلَّمَ : «الصَّـــمْتُ حِكْمَـــةٌ ، وَقَلِيلٌ فَاعِلُهُ». أَخْرَجَهُ الْبَيْهَقِيُّ فِي الشُّعَبِ بِسَنَدٍ ضَعِيفٍ ، وَصَحَّحَ أَنَّهُ مَوْقُوفٌ مِنْ قَوْلِ لُقْمَانَ الْحَكِيمِ .

1521. Anas (RAA) narrated that Allâh's Messenger ﷺ said, "**Keeping silent is considered as** (an act of) **wisdom, but very few practice it**." Related by Al-Baihaqî in his book *'Shu´ab al-Imân'* with a weak chain of narrators. The sound view is that it is traced back to one of the companions who quoted it from Luqmân Al-Hakîm.

## بَـــابُ التَّـــرْهِيـــبِ مِـــنْ مَسَـــاوِئِ الأَخْـــلاَقِ

## *Chapter IV: Admonition Against Mischievous Conduct*

١٥٢٢ ـــ عَنْ أَبِي هُرَيْرَةَ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِيَّاكُمْ وَالْحَسَدَ ، فَإِنَّ الْحَسَدَ يَأْكُلُ الْحَسَنَاتِ كَمَا تَأْكُلُ النَّارُ الْحَطَبَ». أَخْرَجَهُ أَبُو دَاوُدَ .

1522. Abû Hurairah (RAA) narrated that Allâh's Messenger ﷺ said, **"Avoid envy, for envy devours good deeds just as fire devours firewood."** Related by Abû Dawûd.

١٥٢٣ ـــ وَلاِبْنِ مَاجَهْ مِنْ حَدِيثِ أَنَسٍ نَحْوُهُ .

1523. Ibn Mâjah related a similar hadîth on the authority of Anas.

١٥٢٤ ـــ وَعَـــنْهُ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لَيْسَ الشَّدِيدُ بِالصُّرَعَةِ ، إِنَّمَا الشَّدِيدُ الَّذِي يَمْلِكُ نَفْسَهُ عِنْدَ الْغَضَبِ». مُتَّفَقٌ عَلَيْهِ .

1524. Abû Hurairah (RAA) narrated that Allâh's Messenger ﷺ said, **"The strong man is not the good wrestler; but the strong man is he who controls himself when he is angry."** Agreed upon.

١٥٢٥ ـــ وَعَـــنْ ابْنِ عُمَرَ – رَضِيَ اللَّهُ عَنْهُمَا – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «الظُّلْمُ ظُلُمَاتٌ يَوْمَ الْقِيَامَةِ». مُتَّفَقٌ عَلَيْهِ .

1525. Ibn 'Umar (RAA) narrated that the Messenger of Allâh ﷺ said, **"Oppression will turn into darkness on the Day of Resurrection."** Agreed upon.

١٥٢٦ ـــ وَعَـــنْ جابِـــر – رَضِيَ اللَّهُ عَنْهُ – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : « اتَّقُوا الظُّلْمَ ، فَإِنَّ الظُّلْمَ ظُلُمَاتٌ يَوْمَ الْقِيَامَةِ ، وَاتَّقُوا الشُّحَّ ، فَإِنَّهُ أَهْلَكَ

مَنْ كَانَ قَبْلَكُمْ». أَخْرَجَهُ مُسْلِمٌ .

1526. Jâbir bin 'Abdullâh (RAA) narrated that the Messenger of Allâh ﷺ said, **"Beware of oppression, for oppression will turn into excessive darkness on the Day of Resurrection; and beware of niggardliness, for niggardliness destroyed your predecessors."** Related by Muslim.

١٥٢٧ ــ وَعَــنْ مَحْمُودِ بْنِ لَبِيدٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّــهُ عَلَــيْهِ وَسَــلَّمَ : «إِنَّ أَخْــوَفَ مَا أَخَافُ عَلَيْكُمْ الشِّرْكُ الأَصْغَرُ : الرِّيَاءُ». أَخْرَجَهُ أَحْمَدُ بِإِسْنَادٍ حَسَنٍ .

1527. Mahmûd bin Labîd (RAA) narrated that the Messenger of Allâh ﷺ said, **"The thing I fear most for you is the lesser *shirk* (polytheism), showing-off (of good deeds)."** Related by Ahmad with a good chain of narrators.

١٥٢٨ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ : «آيَــةُ الْمُنَافِقِ ثَلاَثٌ : إِذَا حَدَّثَ كَذَبَ ، وَإِذَا وَعَدَ أَخْلَفَ ، وَإِذَا اؤْتُمِنَ خَانَ». مُتَّفَقٌ عَلَيْهِ .

1528. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"There are three signs of a hypocrite; when he speaks, he tells lies; when he makes a promise, he breaks it; and when he is entrusted, he betrays his trust."**Agreed upon.

١٥٢٩ ــ وَلَهُمَا مِنْ حَدِيثِ عَبْدِاللَّهِ بْنِ عُمَرَ : «وَإِذَا خَاصَمَ فَجَرَ».

1529. Al-Bukhârî and Muslim reported another hadîth on the authority of 'Abdullâh bin 'Umar (RAA) with the addition, **"and when he quarrels, he is abusive** (behaves in a very impudent and insulting manner)."

١٥٣٠ ــ وَعَــنْ ابْنِ مَسْعُودٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «سِبَابُ الْمُسْلِمِ فُسُوقٌ ، وَقِتَالُهُ كُفْرٌ». مُتَّفَقٌ عَلَيْهِ .

1530. Ibn Mas'ûd (RAA) narrated that the Messenger of Allâh

ﷺ said, **'Insulting a Muslim is disobedience to Allâh, and fighting with him is *Kufr* (disbelief)."** Agreed upon.

١٥٣١ ــ وَعَنْ أَبِي هُرَيْرَةَ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِيَّاكُمْ وَالظَّنَّ ، فَإِنَّ الظَّنَّ أَكْذَبُ الْحَدِيثِ». مُتَّفَقٌ عَلَيْهِ .

1531. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"Avoid suspicion, for suspicion is the most false form of talk."** Agreed upon.

١٥٣٢ ــ وَعَنْ مَعْقِلِ بْنِ يَسَارٍ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ : «مَا مِنْ عَبْدٍ يَسْتَرْعِيهِ اللَّهُ رَعِيَّةً يَمُوتُ يَوْمَ يَمُوتُ وَهُوَ غَاشٌّ لِرَعِيَّتِهِ إِلاَّ حَرَّمَ اللَّهُ عَلَيْهِ الْجَنَّةَ». مُتَّفَقٌ عَلَيْهِ .

1532. Ma'qil bin Yasâr (RAA) narrated, 'I heard the Messenger of Allâh ﷺ saying, **"Any governor in charge of Muslim subjects who dies while acting dishonestly towards them will be excluded by Allâh from Paradise."** Agreed upon.

١٥٣٣ ــ وَعَنْ عَائِشَةَ قَالَتْ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «اللَّهُمَّ مَنْ وَلِيَ مِنْ أَمْرِ أُمَّتِي شَيْئًا فَشَقَّ عَلَيْهِمْ فَاشْقُقْ عَلَيْهِ». أَخْرَجَهُ مُسْلِمٌ .

1533. 'Â'ishah (RAA) narrated that the Messenger of Allâh ﷺ said, **"O Allâh, cause distress to him who has any charge over my people and causes them distress."** Related by Muslim.

١٥٣٤ ــ وَعَنْ أَبِي هُرَيْرَةَ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا قَاتَلَ أَحَدُكُمْ فَلْيَجْتَنِبِ الْوَجْهَ». مُتَّفَقٌ عَلَيْهِ .

1534. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"When any of you fights, he must avoid** (striking) **the face."** Agreed upon.

١٥٣٥ ــ وَعَنْهُ – رَضِيَ اللَّهُ عَنْهُ – أَنَّ رَجُلاً قَالَ : يَا رَسُولَ اللَّهِ، أَوْصِنِي . قَالَ : «لاَ تَغْضَبْ» فَرَدَّدَ مِرَارًا ، وَقَالَ : «لاَ تَغْضَبْ». أَخْرَجَهُ الْبُخَارِيُّ .

1535. Abû Hurairah (RAA) narrated, 'A man said, "O Messenger of Allâh, advise me." The Messenger of Allâh ﷺ said, **"Do not get angry."** The man repeated that several times and he replied, **"Do not get angry."** Related by Al-Bukhârî.

١٥٣٦ ــ وَعَنْ خَوْلَةَ الأَنْصَارِيَّةِ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِنَّ رِجَالاً يَتَخَوَّضُونَ فِي مَالِ اللَّهِ بِغَيْرِ حَقٍّ ، فَلَهُمُ النَّارُ يَوْمَ الْقِيَامَةِ». أَخْرَجَهُ الْبُخَارِيُّ .

1536. Khawlah al-Ansâriyah (RAA) narrated that the Messenger of Allâh ﷺ said, **"Some men acquire Allâh's Property** (such as the funds of the Muslim state treasury, *Zakâh* etc) **and they will go to Hell on the Day of Resurrection."** Related Al-Bukhârî.

١٥٣٧ ــ وَعَنْ أَبِي ذَرٍّ - رَضِيَ اللَّهُ عَنْهُ - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ - فِيمَا يَرْوِيهِ عَنْ رَبِّهِ - قَالَ : «يَا عِبَادِي ، إِنِّي حَرَّمْتُ الظُّلْمَ عَلَى نَفْسِي ، وَجَعَلْتُهُ بَيْنَكُمْ مُحَرَّمًا ، فَلاَ تَظَالَمُوا». أَخْرَجَهُ مُسْلِمٌ .

1537. Abû Dharr (RAA) quoted the Prophet ﷺ saying among what he narrated from Allâh, the Most High that He has said, **"O My slaves, I have made oppression unlawful for Myself and I have made it unlawful among you, so do not oppress one another."** Related by Muslim.

١٥٣٨ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «أَتَدْرُونَ مَا الْغِيبَةُ ؟». قَالُوا : اللَّهُ وَرَسُولُهُ أَعْلَمُ . قَالَ : «ذِكْرُكَ أَخَاكَ بِمَا يَكْرَهُ». قِيلَ : أَفَرَأَيْتَ إِنْ كَانَ فِي أَخِي مَا أَقُولُ ؟ قَالَ : «إِنْ كَانَ فِيهِ مَا تَقُولُ فَقَدِ اغْتَبْتَهُ ، وَإِنْ لَمْ يَكُنْ فِيهِ فَقَدْ بَهَتَّهُ». أَخْرَجَهُ مُسْلِمٌ .

1538. Abû Hurairah (RAA) narrated, 'The Messenger of Allâh ﷺ asked, **"Do you know what backbiting is?"** They replied, 'Allâh and His Messenger know best.' He said, **"It is saying something about your brother which he dislikes."** Someone asked, 'Supposing that what I said about my brother was true?' and the

Messenger of Allâh ﷺ said, **"If what you say about him is true you have backbitten him and if it is not true you have slandered him."** Related by Muslim.

١٥٣٩ ــ وَعَنْهُ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ تَحَاسَدُوا وَلاَ تَنَاجَشُوا ، وَلاَ تَبَاغَضُوا ، وَلاَ تَدَابَرُوا ، وَلاَ يَبِعْ بَعْضُكُمْ عَلَى بَيْعِ بَعْضٍ ، وَكُونُوا عِبَادَ اللَّهِ إِخْوَانًا ، الْمُسْلِمُ أَخُو الْمُسْلِمِ : لاَ يَظْلِمُهُ ، وَلاَ يَخْذُلُهُ ، وَلاَ يَحْقِرُهُ ، التَّقْوَى هَا هُنَا» - وَيُشِيرُ إِلَى صَدْرِهِ ، ثَلاَثَ مَرَّاتٍ - «بِحَسْبِ امْرِئٍ مِنَ الشَّرِّ أَنْ يَحْقِرَ أَخَاهُ الْمُسْلِمَ ، كُلُّ الْمُسْلِمِ عَلَى الْمُسْلِمِ حَرَامٌ : دَمُهُ ، وَمَالُهُ ، وَعِرْضُهُ». أَخْرَجَهُ مُسْلِمٌ .

1539. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"Avoid jealousy between yourselves, do not outbid one another** (with a view to raising the price), **do not harbor hatred against one another, do not bear enmity against one another, one of you should not enter into a transaction when the other has already entered into it; and be fellow brothers and slaves of Allâh. A Muslim is a Muslim's brother. He does not wrong, desert or despise him. Piety is found here** (pointing three times to his chest), **despising his Muslim brother is enough evil for any man to do. Every Muslim's blood, property and honor are unlawful to be violated by another Muslim."** Related by Muslim.

١٥٤٠ ــ وَعَنْ قُطْبَةَ بْنِ مَالِكٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ : «اللَّهُمَّ جَنِّبْنِي مُنْكَرَاتِ الأَخْلاَقِ ، وَالأَعْمَالِ ، وَالأَهْوَاءِ ، وَالأَدْوَاءِ». أَخْرَجَهُ التِّرْمِذِيُّ ، وَصَحَّحَهُ الْحَاكِمُ ، وَاللَّفْظُ لَهُ .

1540. Qutbah bin Mâlik (RAA) narrated, 'The Messenger of Allâh ﷺ used to say, **"O Allâh, I seek refuge in You from evil morals, deeds, passions and diseases."**Related by At-Tirmidhî. Al-Hâkim graded it as *Sahîh* and it is his version.

١٥٤١ ـــ وَعَــنْ ابْــنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّــهُ عَلَــيْهِ وَسَــلَّمَ : «لاَ تُمَارِ أَخَاكَ ، وَلاَ تُمَازِحْهُ ، وَلاَ تَعِدْهُ مَوْعِدًا فَتُخْلِفَهُ». أَخْرَجَهُ التِّرْمِذِيُّ بِسَنَدٍ ضَعِيفٍ .

1541. Ibn 'Abbâs (RAA) narrated that the Messenger of Allâh ﷺ said, **"Don't dispute with your brother; don't make jokes with him; and don't make him a promise which you would break."** Related by At-Tirmidhî with a weak chain of narrators.

١٥٤٢ ـــ وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّــهُ عَلَــيْهِ وَسَــلَّمَ : «خَصْلَتَانِ لاَ يَجْتَمِعَانِ فِي مُؤْمِنٍ : الْبُخْلُ ، وَسُوءُ الْخُلُقِ». أَخْرَجَهُ التِّرْمِذِيُّ ، وَفِي سَنَدِهِ ضَعْفٌ .

1542. Abû Sa'îd al-Khudrî (RAA), narrated that the Messenger of Allâh ﷺ said, **"There are two characteristics which are not combined in a believer; miserliness and bad morals."** Related by At-Tirmidhî with a weakness in its chain of narrators.

١٥٤٣ ـــ وَعَــنْ أَبِــي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَــيْهِ وَسَــلَّمَ : «الْمُسْــتَبَّانِ مَــا قَــالاَ ، فَعَلَى الْبَادِيءِ ، مَا لَمْ يَعْتَدِ الْمَظْلُومُ». أَخْرَجَهُ مُسْلِمٌ .

1543. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"When two men insult one another, what they say is mainly the fault of the one who began it, so long as the one who is oppressed does not transgress."** Related by Muslim.

١٥٤٤ ـــ وَعَــنْ أَبِــي صِرْمَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَــيْهِ وَسَــلَّمَ : «مَنْ ضَارَّ مُسْلِمًا ضَارَّهُ اللَّهُ ، وَمَنْ شَاقَّ مُسْلِمًا شَقَّ اللَّهُ عَلَيْهِ». أَخْرَجَهُ أَبُو دَاوُدَ ، وَالتِّرْمِذِيُّ ، وَحَسَّنَهُ .

1544. Abû Sirmah (RAA) narrated that the Messenger of Allâh ﷺ said, **"He who causes harm to a Muslim will be har-**

**med by Allâh, and he who acts in a hostile manner against a Muslim, will be punished in the same way by Allâh."** Related by Abû Dawûd and At-Tirmidhî who graded it to be *Hasan* (good).

١٥٤٥ ــ وَعَــنْ أَبِي الدَّرْدَاءِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِنَّ اللَّهَ يُبْغِضُ الْفَاحِشَ الْبَذِيءَ». أَخْرَجَهُ التِّرْمِذِيُّ ، وَصَحَّحَهُ .

1545. Abû ad-Dardâ' (RAA) narrated that the Messenger of Allâh ﷺ said, **"Allâh hates the profligate and the obscene."** Related by At-Tirmidhî who graded it to be *Sahîh*.

١٥٤٦ ــ وَلَــهُ مِنْ حَدِيثِ ابْنِ مَسْعُودٍ - رَضِيَ اللَّهُ عَنْهُ - رَفَعَهُ : «لَيْسَ الْمُؤْمِنُ بِالطَّعَّانِ ، وَلاَ اللَّعَّانِ ، وَلاَ الْفَاحِشِ ، وَلاَ الْبَذِيءِ». وَحَسَّنَهُ ، وَصَحَّحَهُ الْحَاكِمُ ، وَرَجَّحَ الدَّارَقُطْنِيُّ ، وَقْفَهُ .

1546. At-Tirmidhî also related on the authority of Ibn Mas´ûd (RAA) that the Messenger of Allâh ﷺ said, **"The believer is not a slanderer, nor does he curse others, and nor is he immoral or shameless."** Related by At-Tirmidhî who graded it to be *Hasan*. Al-Hâkim graded it as *Sahîh* and Ad-Dâraqutnî said that it is most probably *Mawqûf* (traced only to a Companion).

١٥٤٧ ــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : قَالَ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ تَسُبُّوا الأَمْوَاتَ ، فَإِنَّهُمْ قَدْ أَفْضُوا إِلَى مَا قَدَّمُوا». أَخْرَجَهُ الْبُخَارِيُّ .

1547. ´Â'ishah (RAA) narrated that the Messenger of Allâh ﷺ said, **"Avoid reviling the dead, they have already seen the result of (the deeds) that they forwarded before them."** Related by Al-Bukhârî.

١٥٤٨ ــ وَعَــنْ حُذَيْفَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ يَدْخُلُ الْجَنَّةَ قَتَّاتٌ». مُتَّفَقٌ عَلَيْهِ .

1548. Hudhaifah (RAA) narrated that the Messenger of Allâh ﷺ said, **"A backbiter will not enter Paradise."** Agreed upon.

١٥٤٩ ــ وَعَــنْ أَنَــسٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ كَفَّ غَضَبَهُ كَفَّ اللَّهُ عَنْهُ عَذَابَهُ». أَخْرَجَهُ الطَّبَرَانِيُّ فِي الأَوْسَطِ .

1549. Anas (RAA) narrated that the Messenger of Allâh ﷺ said, **"If one restrained his anger, Allâh will keep His punishment from him** (on the Day of Resurrection)." Related by At-Tabarânî in *al-Awsat*.

١٥٥٠ ــ وَلَهُ شَاهِدٌ مِنْ حَدِيثِ ابْنِ عُمَرَ عِنْدَ ابْنِ أَبِي الدُّنْيَا .

1550. The aforementioned hadîth is supported by a narration on the authority of Ibn 'Umar related by Ibn Abî Ad-Duniâ.

١٥٥١ ــ وَعَــنْ أَبِي بَكْرٍ الصِّدِّيقِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّــهُ عَلَــيْهِ وَسَــلَّمَ : «لاَ يَدْخُلُ الْجَنَّةَ خَبٌّ ، وَلاَ بَخِيلٌ ، وَلاَ سَيِّيءُ الْمَلَكَةِ». أَخْرَجَهُ التِّرْمِذِيُّ ، وَفَرَّقَهُ حَدِيثَيْنِ ، وَفِي إِسْنَادِهِ ضَعْفٌ .

1551. Abû Bakr as-Siddîq (RAA) narrated that the Messenger of Allâh ﷺ said, **"A crafty person, a miser and one who badly treats those under his authority will not enter Paradise."** Related by At-Tirmidhî in two separate traditions and there is a weakness in its chain of narrators.

١٥٥٢ ــ وَعَــنْ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ تَسَمَّعَ حَدِيثَ قَوْمٍ ، وَهُمْ لَهُ كَارِهُونَ ، صُبَّ فِي أُذُنَيْهِ الآنُكُ يَوْمَ الْقِيَامَةِ». يَعْنِي : الرَّصَاصَ ، أَخْرَجَهُ الْبُخَارِيُّ .

1552. Ibn 'Abbâs (RAA) narrated that the Messenger of Allâh ﷺ said, **"If anyone listened to the talk of some people, when they do not like him to do that, then molten led will be poured into his ears on the Day of Resurrection."** Related by Al-Bukhârî.

١٥٥٣ ــ وَعَــنْ أَنَــسٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «طُوبَى لِمَنْ شَغَلَهُ عَيْبُهُ عَنْ عُيُوبِ النَّاسِ». أَخْرَجَهُ الْبَزَّارُ بِإِسْنَادٍ حَسَنٍ .

1553. Anas (RAA) narrated that the Messenger of Allâh ﷺ

said, **"Blessed is he who is preoccupied with his defects rather than those of other people."** Related by Al-Bazzâr with a good chain of narrators.

١٥٥٤ — وَعَنْ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ تَعَاظَمَ فِي نَفْسِهِ ، وَاخْتَالَ فِي مِشْيَتِهِ لَقِيَ اللَّهَ وَهُوَ عَلَيْهِ غَضْبَانُ». أَخْرَجَهُ الْحَاكِمُ ، وَرِجَالُهُ ثِقَاتٌ .

1554. Ibn 'Umar (RAA) narrated that the Messenger of Allâh ﷺ said, **"Whoever exalts himself and walks proudly; Allâh will be angry with him when he meets Him (on the Day of Resurrection)."** Related Al-Hâkim with a reliable chain of narrators.

١٥٥٥ — وَعَنْ سَهْلِ بْنِ سَعْدٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «الْعَجَلَةُ مِنَ الشَّيْطَانِ». أَخْرَجَهُ التِّرْمِذِيُّ ، وَقَالَ : حَسَنٌ .

1555. Sahl bin Sa'd (RAA) narrated that the Messenger of Allâh ﷺ said, **"Haste comes from Satan."** Related by At-Tirmidhî who graded is as *Hasan*.

١٥٥٦ — وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «الشُّؤْمُ سُوءُ الْخُلُقِ». أَخْرَجَهُ أَحْمَدُ ، وَفِي إِسْنَادِهِ ضَعْفٌ .

1556. 'Â'ishah (RAA) narrated that the Messenger of Allâh ﷺ said, **"Pessimism is part of bad character."** Related by Ahmad with a weak chain of narrators.

١٥٥٧ — وَعَنْ أَبِي الدَّرْدَاءِ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِنَّ اللَّعَّانِينَ لاَ يَكُونُونَ شُفَعَاءَ ، وَلاَ شُهَدَاءَ يَوْمَ الْقِيَامَةِ». أَخْرَجَهُ مُسْلِمٌ .

1557. Abû ad-Dardâ' (RAA) narrated that the Messenger of Allâh ﷺ said, **"Men accustomed to cursing will not be intercessors or witnesses on the Day of Resurrection."** Related by Muslim.

١٥٥٨ ــ وَعَنْ مُعَاذِ بْنِ جَبَلٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ عَيَّرَ أَخَاهُ بِذَنْبٍ لَمْ يَمُتْ حَتَّى يَعْمَلَهُ». أَخْرَجَهُ التِّرْمِذِيُّ ، وَحَسَّنَهُ ، وَسَنَدُهُ مُنْقَطِعٌ .

1558. Mu´âdh bin Jabal (RAA) narrated that the Messenger of Allâh ﷺ said, **"If anyone disgraces his brother for a sin, he will not die before committing it himself."** Related At-Tirmidhî who graded it to be *Hasan*.

١٥٥٩ ــ وَعَنْ بَهْزِ بْنِ حَكِيمٍ عَنْ أَبِيهِ عَنْ جَدِّهِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «وَيْلٌ لِلَّذِي يُحَدِّثُ فَيَكْذِبُ لِيُضْحِكَ بِهِ الْقَوْمَ ، وَيْلٌ لَهُ ، ثُمَّ وَيْلٌ لَهُ». أَخْرَجَهُ الثَّلاثَةُ ، وَإِسْنَادُهُ قَوِيٌّ .

1559. Bahz bin Hakîm narrated on the authority of his father, on the authority of his grandfather (RAA) that the Messenger of Allâh ﷺ said, **"Woe to him who lies in his talk to make the people laugh, Woe to him! Woe to him!."** Related by the three Imâms with a strong chain of narrators.

١٥٦٠ ــ وَعَنْ أَنَسٍ عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «كَفَّارَةُ مَنْ اغْتَبْتَهُ أَنْ تَسْتَغْفِرَ لَهُ». رَوَاهُ الْحَارِثُ بْنُ أَبِي أُسَامَةَ بِإِسْنَادٍ ضَعِيفٍ .

1560. Anas (RAA) narrated that the Messenger of Allâh ﷺ said, **"The atonement of backbiting a man is to ask Allâh to forgive him."** Related by Al-Hârith bin Abû Usâmah with a weak chain of narrators.

١٥٦١ ــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «أَبْغَضُ الرِّجَالِ إِلَى اللَّهِ الأَلَدُّ الْخَصِمُ». أَخْرَجَهُ مُسْلِمٌ .

1561. ´Â'ishah (RAA) narrated that the Messenger of Allâh ﷺ said, **"The most despicable amongst people in the sight of Allâh is the ruthless argumentative** (person)**."** Related by Muslim.

## بَــابُ التَّــرْغِيـــبِ فِــي مَكَــارِمِ الأَخْــلاَقِ

## *Chapter V: Exhortation to have Good Morals*

١٥٦٢ ــ عَــنِ ابْــنِ مَسْعُودٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَــيْهِ وَسَلَّمَ : «عَلَيْكُمْ بِالصِّدْقِ ، فَإِنَّ الصِّدْقَ يَهْدِي إِلَى البِرِّ ، وَإِنَّ الْبِرَّ يَهْدِي إِلَى الْجَنَّةِ ، وَمَا يَزَالُ الرَّجُلُ يَصْدُقُ ، وَيَتَحَرَّى الصِّدْقَ ، حَتَّى يُكْتَبَ عِنْدَ اللَّهِ صِدِّيقًا ، وَإِيَّاكُمْ وَالْكَذِبَ ، فَإِنَّ الْكَذِبَ يَهْدِي إِلَى الْفُجُورِ ، وَإِنَّ الْفُجُورَ يَهْدِي إِلَى النَّارِ ، وَمَا يَزَالُ الرَّجُلُ يَكْذِبُ وَيَتَحَرَّى الْكَذِبَ حَتَّى يُكْتَبَ عِنْدَ اللَّهِ كَذَّابًا». مُتَّفَقٌ عَلَيْهِ .

1562. Ibn Mas´ûd (RAA) narrated that the Messenger of Allâh ﷺ said, **"Adhere** (you people) **to truth, for truth leads to good deeds and good deeds lead to Paradise, and if a man continues to speak the truth and makes truth his object he will be recorded as truthful before Allâh. Avoid** (you people) **falsehood, for falsehood leads to wickedness and wickedness leads to Hell, and if a man continues to speak falsehood and makes falsehood his object he will be recorded as a liar before Allâh."** Agreed upon.

١٥٦٣ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «إِيَّاكُمْ وَالظَّنَّ ، فَإِنَّ الظَّنَّ أَكْذَبُ الْحَدِيثِ». مُتَّفَقٌ عَلَيْهِ .

1563. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"Beware of suspicion, for suspicion amounts to the worst form of lying."** Agreed upon.

١٥٦٤ ــ وَعَــنْ أَبِــي سَعِيدٍ الْخُدْرِيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِيَّاكُمْ وَالْجُلُوسَ عَلَى الطُّرُقَاتِ». قَالُوا : يَا رَسُولَ اللَّهِ ، مَا لَــنَا بُدٌّ مِنْ مَجَالِسِنَا ، نَتَحَدَّثُ فِيهَا . قَالَ : «فَأَمَّا إِذَا أَبَيْتُمْ فَأَعْطُوا الطَّرِيقَ حَقَّهُ». قَــالُوا : وَمَــا حَقُّهُ ؟ قَالَ : «غَضُّ الْبَصَرِ ، وَكَفُّ الأَذَى ، وَرَدُّ السَّلاَمِ ، وَالأَمْرُ بِالْمَعْرُوفِ ، وَالنَّهْيُ عَنِ الْمُنْكَرِ». مُتَّفَقٌ عَلَيْهِ .

1564. Abû Sa´îd al-Khudrî (RAA) narrated that the Messenger

of Allâh ﷺ said, **"Avoid sitting by the road side."** The people then said, 'O Allâh's Messenger, we cannot do without those meeting places in which we converse." So he said, **"Well, if you insist** (on that) **give the road its due rights."** They asked, 'What are the road's due rights?' He replied, **"Lowering your gaze, abstaining from anything offensive, returning salutations, enjoining the right** *(Ma´rûf)* **and forbidding from evil deeds** *(Munkar)*.**"** Agreed upon.

١٥٦٥ ـــ وَعَـــنْ مُعَاوِيَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ يُرِدِ اللَّهُ بِهِ خَيْرًا يُفَقِّهْهُ فِي الدِّينِ». مُتَّفَقٌ عَلَيْهِ .

1565. Mu´âwiyah (RAA) narrated that the Messenger of Allâh ﷺ said, **"When Allâh wishes good for anyone, He bestows upon him the *Fiqh* (comprehension) of the religion."** Agreed upon.

١٥٦٦ ـــ وَعَـــنْ أَبِي الدَّرْدَاءِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَا مِنْ شَيْءٍ فِي الْمِيزَانِ أَثْقَلُ مِنْ حُسْنِ الْخُلُقِ». أَخْرَجَهُ أَبُو دَاوُدَ ، وَالتِّرْمِذِيُّ وَصَحَّحَهُ .

1566. Abû ad-Dardâ' (RAA) narrated that the Messenger of Allâh ﷺ said, **"The heaviest thing which will be put on the believer's scale** (on the Day of Resurrection) **will be good morals."** Related by Abû Dawûd and At-Tirmidhî who graded it as *Sahîh*.

١٥٦٧ ـــ وَعَـــنْ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «الْحَيَاءُ مِنَ الإِيمَانِ». مُتَّفَقٌ عَلَيْهِ .

1567. Ibn ´Umar (RAA) narrated that the Messenger of Allâh ﷺ said, **"*Hayâ'*(modesty, bashfulness etc.) is a part of Faith."** Agreed upon.

١٥٦٨ ــ وَعَــنْ ابْنِ مَسْعُودٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِنَّ مِمَّا أَدْرَكَ النَّاسُ مِنْ كَلاَمِ النُّبُوَّةِ الأُولَى : إِذَا لَمْ تَسْتَحِ فَاصْنَعْ مَا شِئْتَ». أَخْرَجَهُ الْبُخَارِيُّ .

1568. Ibn Mas´ûd (RAA) narrated that the Messenger of Allâh ﷺ said, **"One of the things people have learned from the words of the earliest prophecies is, "If you don't feel any shame, do whatever you like."** Related by Al-Bukhârî.

١٥٦٩ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «الْمُؤْمِنُ الْقَوِيُّ خَيْرٌ وَأَحَبُّ إِلَى اللَّهِ مِنَ الْمُؤْمِنِ الضَّعِيفِ ، وَفِي كُلٍّ خَيْرٌ ، احْرِصْ عَلَى مَا يَنْفَعُكَ ، وَاسْتَعِنْ بِاللَّهِ ، وَلاَ تَعْجَزْ ، وَإِنْ أَصَابَكَ شَيْءٌ فَلاَ تَقُلْ : لَوْ أَنِّي فَعَلْتُ كَذَا كَانَ كَذَا وَكَذَا ، وَلَكِنْ قُلْ : قَدَّرَ اللَّهُ وَمَا شَاءَ فَعَلَ ، فَإِنَّ لَوْ تَفْتَحُ عَمَلَ الشَّيْطَانِ». أَخْرَجَهُ مُسْلِمٌ .

1569. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"A believer who is strong** (and healthy) **is better and dearer to Allâh than the weak believer, but there is goodness in both of them. Be keen on what benefits you and seek help from Allâh, and do not give up. If anything afflicts you do not say, 'If I had done such and such things, such and such would have happened.' But say, 'Allâh decrees and what He wills He does,' for** (the utterance) **'If I had" provides an opening for the deeds of the devil."** Related by Muslim.

١٥٧٠ ــ وَعَــنْ عِيَاضِ بْنِ حِمَارٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّــهُ عَلَيْهِ وَسَلَّمَ : «إِنَّ اللَّهَ - تَعَالَى - أَوْحَى إِلَيَّ أَنْ تَوَاضَعُوا ، حَتَّى لاَ يَبْغِي أَحَدٌ عَلَى أَحَدٍ ، وَلاَ يَفْخَرُ أَحَدٌ عَلَى أَحَدٍ». أَخْرَجَهُ مُسْلِمٌ .

1570. ´Iyâd bin Himâr (RAA) narrated that the Messenger of Allâh ﷺsaid, **"Allâh, the Most High has revealed to me that you** (people) **should be humble, so that no one transgresses another, or boasts to the other."** Related by Muslim.

١٥٧١ ــ وَعَــنْ أَبِي الدَّرْدَاءِ - رَضِيَ اللَّهُ عَنْهُ - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَــالَ : «مَــنْ رَدَّ عَــنْ عِرْضِ أَخِيهِ بِالْغَيْبِ رَدَّ اللَّهُ عَنْ وَجْهِهِ النَّارَ يَوْمَ الْقِيَامَةِ». أَخْرَجَهُ التِّرْمِذِيُّ ، وَحَسَّنَهُ .

1571. Abû ad-Dardâ' (RAA) narrated that the Messenger of Allâh ﷺ said, **"If a Muslim defends his brother's honor in his absence, Allâh will protect his face from the fire of Hell on the Day of Resurrection."** Related by At-Tirmidhî who graded it to be *Hasan*.

١٥٧٢ ــ وَلِأَحْمَدَ مِنْ حَدِيثِ أَسْمَاءَ بِنْتِ يَزِيدَ نَحْوُهُ .

1572. Ahmad related a similar hadîth on the authority of Asmâ' the daughter of Yazîd.

١٥٧٣ ــ وَعَــنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَا نَقَصَتْ صَدَقَةٌ مِنْ مَالٍ ، وَمَا زَادَ اللَّهُ عَبْدًا بِعَفْوٍ إِلاَّ عِزًّا ، وَمَا تَوَاضَعَ أَحَدٌ لِلَّهِ إِلاَّ رَفَعَهُ اللَّهُ - تَعَالَى -». أَخْرَجَهُ مُسْلِمٌ .

1573. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"*Sadaqah* does not decrease property and Allâh increases the honor of him who forgives and no one will humble himself for Allâh's sake except that Allâh raises his status."** Related by Muslim.

١٥٧٤ ــ وَعَــنْ عَبْدِ اللَّهِ بْنِ سَلاَمٍ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «يَــا أَيُّهَا النَّاسُ ، أَفْشُوا السَّلاَمَ ، وَصِلُوا الأَرْحَامَ ، وَأَطْعِمُوا الطَّعَامَ ، وَصَلُّوا بِاللَّيْلِ وَالنَّاسُ نِيَامٌ ، تَدْخُلُوا الْجَنَّةَ بِسَلاَمٍ». أَخْرَجَهُ التِّرْمِذِيُّ وَصَحَّحَهُ .

1574. 'Abdullâh bin Salâm (RAA) narrated that the Messenger of Allâh ﷺ said, **"O people, extend greetings** (saying *Salam* to each other)**, keep relations with your kin, provide food** (to people) **and pray at night when people are asleep and you will enter Paradise in peace."** Related by At-Tirmidhî who graded it as *Sahîh*.

١٥٧٥ ــ وَعَــنْ تَمِيمٍ الدَّارِيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَــيْهِ وَسَلَّمَ : «الدِّينُ النَّصِيحَةُ» - ثَلاَثًا - قُلْنَا : لِمَنْ هِيَ يَا رَسُولَ اللهِ ؟ قَالَ : «لِلَّهِ ، وَلِكِتَابِهِ ، وَلِرَسُولِهِ ، وَلأَئِمَّةِ الْمُسْلِمِينَ وَعَامَّتِهِمْ». أَخْرَجَهُ مُسْلِمٌ .

1575. Tamîm ad-Dârî (RAA) narrated that the Messenger of Allâh ﷺ said, **"The religion is *Nasîhah*."**[459] The people said, 'To whom should it be directed?' He replied, **"To Allâh, His Book, His Messenger, to the leaders of the Muslims and to the common folk of the Muslims."**[460] Related by Muslim.

١٥٧٦ ــ وَعَنْ أَبِي هُرَيْرَةَ قَالَ : قَالَ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «أَكْثَرُ مَا يُدْخِلُ الجَنَّةَ تَقْوَى اللهِ وَحُسْنُ الْخُلُقِ». أَخْرَجَهُ التِّرْمِذِيُّ ، وَصَحَّحَهُ الْحَاكِمُ .

1576. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"The fear of Allâh and good morals** (*Akhlâq*) **are the two major characteristics which lead to Paradise."** Related by At-Tirmidhî and Al-Hâkim graded it as Sahîh.

١٥٧٧ ــ وَعَنْهُ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِنَّكُــمْ لاَ تَسَــعُونَ الــنَّاسَ بِأَمْوَالِكُمْ ، وَلَكِنْ لِيَسَعْهُمْ مِنْكُمْ بَسْطُ الْوَجْهِ وَحُسْنُ الْخُلُقِ». أَخْرَجَهُ أَبُو يَعْلَى ، وَصَحَّحَهُ الْحَاكِمُ .

1577. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"You (people) cannot satisfy people with your wealth, but satisfy them with your cheerful faces and good morals."** Related by Abû Ya'lâ and Al-Hâkim graded it as Sahîh.

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459- The word *Nasîhah* refers to sincerity, good advice, well wishing, integrity, doing justice to a person or situation.

460- Nasîhah to 'Allâh' means having faith in Allâh, fulfilling all the obligatory duties, abstaining from doing what is prohibited etc.., *Nasîhah* to His Book means believing in all His revelations and complying with all that is in the Qur'ân. *Nasîhah* to His Messenger means to believe in him, in the Divine Revelation that was revealed to him, to follow his *Sunnah* etc., to the leaders of the Muslims by obeying them, giving them sincere advise, helping them etc. *Nasîhah* to the Muslims means to provide them with good advice, not harming them, guiding them to what is good.

١٥٧٨ ــ وَعَنْهُ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «الْمُؤْمِنُ مِرْآةُ أَخِيهِ الْمُؤْمِنِ». أَخْرَجَهُ أَبُو دَاوُدَ بِإِسْنَادٍ حَسَنٍ .

1578. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"Every believer is the mirror of his brother."** Related by Abû Dawûd with a good chain of narrators.

١٥٧٩ ــ وَعَــنْ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَــيْهِ وَسَلَّمَ : «الْمُؤْمِنُ الَّذِي يُخَالِطُ النَّاسَ ، وَيَصْبِرُ عَلَى أَذَاهُمْ خَيْرٌ مِنَ الَّذِي لاَ يُخَــالِطُ النَّاسَ وَلاَ يَصبِرُ عَلَى أَذَاهُمْ». أَخْرَجَهُ ابْنُ مَاجَهْ بِإِسْنَادٍ حَسَنٍ ، وَهُوَ عِنْدَ التِّرْمِذِيِّ إِلاَّ أَنَّهُ لَمْ يُسَمِّ الصَّحَابِيَّ .

1579. Ibn 'Umar (RAA) narrated that the Messenger of Allâh ﷺ said, **"A believer who mixes with people and endures their annoyance is better than the one who does not mix with them and does not endure their annoyance."** Related by Ibn Mâjah with a good chain of narrators. At-Tirmidhî reported the hadîth without mentioning the Companion.

١٥٨٠ ــ وَعَــنْ ابْنِ مَسْعُودٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَــيْهِ وَسَــلَّمَ : «اللَّهُــمَّ كَمَــا حَسَّــنْتَ خَلْقِي فَحَسِّنْ خُلُقِي». رَوَاهُ أَحْمَدُ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

1580. Ibn Mas'ûd (RAA) narrated that the Messenger of Allâh ﷺ said, **"O Allâh You have made my creation perfect, so make my moral characteristics also be the best."**

## بَــابُ الــذِّكْــرِ وَالــدُّعَــاءِ

## *Chapter VI: Remembering Allâh and Supplication*

١٥٨١ ــ عَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ : «يَقُولُ اللَّهُ - تَعَالَى - : أَنَا مَعَ عَبْدِي مَا ذَكَرَنِي وَتَحَرَّكَتْ بِي شَفَتَاهُ». أَخْرَجَهُ ابْنُ مَاجَهْ ، وَصَحَّحَهُ ابْنُ حبان ، وَذَكَرَهُ الْبُخَارِيُّ تَعْلِيقًا .

1581. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"Allâh, the Most High says: 'I am with My slave when he remembers Me and his lips move with My mention."** Related by Ibn Mâjah and Ibn Hibbân graded it as *Sahîh*.

١٥٨٢ ــ وَعَنْ مُعَاذِ بْنِ جَبَلٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَا عَمِلَ ابْنُ آدَمَ عَمَلاً أَنْجَى لَهُ مِنْ عَذَابِ اللَّهِ مِنْ ذِكْرِ اللَّهِ». أَخْرَجَهُ ابْنُ أَبِي شَيْبَةَ ، وَالطَّبَرَانِيُّ بِإِسْنَادٍ حَسَنٍ .

1582. Mu'âdh Ibn Jabal (RAA) narrated that the Messenger of Allâh ﷺ said, **"A man does nothing to rescue himself from Allâh's punishment better than remembering Allâh."** Related by Ibn Abî Shaibah and At-Tabarânî with a good chain of narrators.

١٥٨٣ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَا جَلَسَ قَوْمٌ مَجْلِسًا يَذْكُرُونَ اللَّهَ فِيهِ ، إِلاَّ حَفَّتْهُمُ الْمَلائِكَةُ وَغَشِيَتْهُمُ الرَّحْمَةُ ، وَذَكَرَهُمُ اللَّهُ فِيمَنْ عِنْدَهُ». أَخْرَجَهُ مُسْلِمٌ .

1583. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"People will not sit in an assembly in which they remember Allâh without the angels surrounding them ,mercy covering them, and Allâh mentioning them among those who are with Him."** Related by Muslim.

١٥٨٤ ــ وَعَنْهُ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَا قَعَدَ قَوْمٌ مَقْعَدًا لَمْ يَذْكُرُوا اللَّهَ فِيهِ وَلَمْ يُصَلُّوا عَلَى النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِلاَّ كَانَ عَلَيْهِمْ حَسْرَةً يَوْمَ الْقِيَامَةِ». أَخْرَجَهُ التِّرْمِذِيُّ ، وَقَالَ : حَسَنٌ .

1584. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"If people sit in an assembly in which they do not remember Allâh or invoke blessings on the Prophet ﷺ, it will be a cause of grief to them on the Day of Resurrection."** Related by At-Tirmidhî who graded it as *Hasan*.

١٥٨٥ ــ وَعَــنْ أَبِي أَيُّوبَ الأَنْصَارِيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّه صَــلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ قَالَ : لاَ إِلَهَ إِلاَّ اللَّهُ وَحْدَهُ لاَ شَرِيكَ لَهُ ، لَهُ الْمُلْكُ ، وَلَــهُ الْحَمْدُ ، وَهُوَ عَلَى كُلِّ شَيْءٍ قَدِيرٌ ، عَشْرَ مَرَّاتٍ كَانَ كَمَنْ أَعْتَقَ أَرْبَعَةَ أَنْفُسٍ مِنْ وَلَدِ إِسْمَاعِيلَ». مُتَّفَقٌ عَلَيْهِ .

1585. Abû Aiyûb al-An<u>s</u>ârî (RAA) narrated, "The Messenger of Allâh ﷺ said, **"Whoever says ten times: 'None has the right to be worshipped except Allâh alone, without partner, to Him belongs all sovereignty and praise. He gives life and causes death. He is over all things, Omnipotent,' will have a reward equivalent to that of emancipating four of the descendants of Ismâ'îl from slavery."** Agreed upon.

١٥٨٦ ــ وَعَــنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّه صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ قَالَ : سُبْحَانَ اللَّهِ وَبِحَمْدِهِ مِئَةَ مَرَّةٍ حُطَّتْ عَنْهُ خَطَايَاهُ وَإِنْ كَانَتْ مِثْلَ زَبَدِ الْبَحْرِ». مُتَّفَقٌ عَلَيْهِ .

1586. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"Whoever says a hundred times, 'How perfect Allâh is and I praise Him,' his sins will be forgiven though they may be as much as the foam of the sea."** Agreed upon.

١٥٨٧ ــ وَعَنْ جُوَيْرِيَةَ بِنْتِ الْحَارِثِ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : قَالَ لِي رَسُولُ اللَّــهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لَقَدْ قُلْتُ بَعْدَكِ أَرْبَعَ كَلِمَاتٍ لَوْ وُزِنَتْ بِمَا قُلْتِ مُنْذُ الْــيَوْمِ لَوَزَنَتْهُنَّ : سُبْحَانَ اللَّهِ وَبِحَمْدِهِ ، عَدَدَ خَلْقِهِ ، وَرِضَاءَ نَفْسِهِ ، وَزِنَةَ عَرْشِهِ ، وَمِدَادَ كَلِمَاتِهِ». أَخْرَجَهُ مُسْلِمٌ .

1587. Juairiyah bint al-<u>H</u>ârith (RAA) narrated, 'The Messenger of Allâh ﷺ said to me, **"Since leaving you I have said four phrases which if weighed against all you have said today, would prove to be heavier: 'How perfect Allâh is and I praise Him by the amount of His creation and His pleasure, and by the weight of His throne, and the ink of His words."** Related by Muslim.

١٥٨٨ ـ وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «الْبَاقِيَاتُ الصَّالِحَاتُ : لاَ إِلَهَ إِلاَّ اللَّهُ ، وَسُبْحَانَ اللَّهِ ، وَاللَّهُ أَكْبَرُ ، وَالْحَمْدُ لِلَّهِ ، وَلاَ حَوْلَ وَلاَ قُوَّةَ إِلاَّ بِاللَّهِ». أَخْرَجَهُ النَّسَائِيُّ ، وَصَحَّحَهُ ابْنُ حِبَّانَ ، وَالْحَاكِمُ .

1588. Abû Sa´îd al-Khudrî (RAA) narrated that the Messenger of Allâh ﷺ said, **"The lasting good deeds are: (the saying of) 'None has the right to be worshipped except Allâh alone, How perfect Allâh is and Allâh is great and all praise is for Allâh, There is no might nor power except with Allâh."** Related by An-Nasâ'î. Ibn Hibbân and Al-Hâkim graded it as *Sahîh*.

١٥٨٩ ـ وَعَنْ سَمُرَةَ بْنِ جُنْدَبٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «أَحَبُّ الْكَلاَمِ إِلَى اللَّهِ أَرْبَعٌ ، لاَ يَضُرُّكَ بِأَيِّهِنَّ بَدَأْتَ : سُبْحَانَ اللَّهِ ، وَالْحَمْدُ لِلَّهِ ، وَلاَ إِلَهَ إِلاَّ اللَّهُ ، وَاللَّهُ أَكْبَرُ». أَخْرَجَهُ مُسْلِمٌ .

1589. Samurah bin Jundub (RAA) narrated that the Messenger of Allâh ﷺ said, **"The words dearer to Allâh are four: 'How perfect Allâh is and all praise is for Allâh. None has the right to be worshipped except Allâh alone and Allâh is great.' It does not matter which you say first."** Related by Muslim.

١٥٩٠ ـ وَعَنْ أَبِي مُوسَى الأَشْعَرِيِّ قَالَ : قَالَ لِي رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «يَا عَبْدَاللَّهِ بْنَ قَيْسٍ ، أَلاَ أَدُلُّكَ عَلَى كَنْزٍ مِنْ كُنُوزِ الْجَنَّةِ ؟ لاَ حَوْلَ وَلاَ قُوَّةَ إِلاَّ بِاللَّهِ». مُتَّفَقٌ عَلَيْهِ ، زَادَ النَّسَائِيُّ : «لاَ مَلْجَأَ مِنَ اللَّهِ إِلاَّ إِلَيْهِ».

1590. Abû Mûsâ al-Ash´arî (RAA) narrated that the Messenger of Allâh ﷺ said to me, **"O ´Abdullâh bin Qais, would you like to be guided to one of the treasures of Paradise?'There is no might nor power except with Allâh.'** Agreed upon. An-Nasâ'î added in his version, **"There is no refuge from Allâh except by turning to Him.'**

١٥٩١ ـــ وَعَـــنْ النُّعْمَانِ بْنِ بَشِيرٍ - رَضِيَ اللَّهُ عَنْهُمَا - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «إِنَّ الدُّعَاءَ هُوَ الْعِبَادَةُ». رَوَاهُ الأَرْبَعَةُ ، وَصَحَّحَهُ التِّرْمِذِيُّ .

1591. An-Nu´mân bin al-Bashîr (RAA) narrated that the Messenger of Allâh ﷺ said, **"Verily supplication is worship."** Related by the four Imâms and At-Tirmidhî graded it as S̲ah̲îh̲.

١٥٩٢ ـــ وَلَهُ مِنْ حَدِيثِ أَنَسٍ مَرْفُوعًا بِلَفْظِ : «الدُّعَاءُ مُخُّ الْعِبَادَةِ».

1592. Anas (RAA) narrated that the Messenger of Allâh ﷺ said, **"Supplication is the pith of worship."** Related by At-Tirmidhî with a full chain of narrators.

١٥٩٣ ـــ وَلَهُ مِنْ حَدِيثِ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - رَفَعَهُ : «لَيْسَ شَيْءٌ أَكْرَمَ عَلَى اللَّهِ مِنَ الدُّعَاءِ». وَصَحَّحَهُ ابْنُ حِبَّانَ ، وَالْحَاكِمُ .

1593. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"Nothing is more honorable before Allâh than supplication."** Related by At-Tirmidhî with a full chain of narrators. Ibn H̲ibbân and Al-H̲âkim graded it as S̲ah̲îh̲.

١٥٩٤ ـــ وَعَـــنْ أَنَـــسٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ : «الدُّعَاءُ بَيْنَ الأَذَانِ وَالإِقَامَةِ لاَ يُرَدُّ». أَخْرَجَهُ النَّسَائِيُّ وَغَيْرُهُ ، وَصَحَّحَهُ ابْنُ حِبَّانَ وَغَيْرُهُ .

1594. Anas (RAA) narrated that the Messenger of Allâh ﷺ said, **"A supplication made between the *Adhân* and *Iqâmah* is never rejected."** Related by An-Nasâ'î and others. Ibn H̲ibbân and others graded it as S̲ah̲îh̲.

١٥٩٥ ـــ وَعَـــنْ سَلْمَانَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ : «إِنَّ رَبَّكُـــمْ حَيٌّ كَرِيمٌ ، يَسْتَحِي مِنْ عَبْدِهِ إِذَا رَفَعَ يَدَيْهِ إِلَيْهِ أَنْ يَرُدَّهُمَا صِفْرًا». أَخْرَجَهُ الأَرْبَعَةُ إِلاَّ النَّسَائِيَّ ، وَصَحَّحَهُ الْحَاكِمُ .

1595. Salmân (RAA) narrated that the Messenger of Allâh ﷺ said, **"Your *Rabb* (Lord of the Universe) is Modest and Gen-**

**erous, and would never turn the hands of a slave without gain when he raises them to Him** (in supplication)." Related by the four Imâms except An-Nasâ'î. Al-Hâkim graded it as Sahîh.

١٥٩٦ ــ وَعَنْ عُمَرَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : «كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِذَا مَدَّ يَدَيْهِ فِي الدُّعَاءِ لَمْ يَرُدَّهُمَا حَتَّى يَمْسَحَ بِهِمَا وَجْهَهُ». أَخْرَجَهُ التِّرْمِذِيُّ ، وَلَهُ شَوَاهِدُ ، مِنْهَا .

1596. 'Umar (RAA) narrated, 'When the Messenger of Allâh ﷺ raised his hands in supplication, he did not lower them till he wiped his face with them.' Related by At-Tirmidhî. There are other traditions, which support this narration, of which are:

١٥٩٧ ــ حَدِيثُ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - عِنْدَ أَبِي دَاوُدَ ، وَغَيْرِهِ ، وَمَجْمُوعُهَا يَقْضِي بِأَنَّهُ حَدِيثٌ حَسَنٌ .

1597. the Hadîth narrated by Ibn 'Abbâs (RAA) related by Abû Dawûd and others.Put together, they confirm that it is Hasan

١٥٩٨ ــ وَعَنِ ابْنِ مَسْعُودٍ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِنَّ أَوْلَى النَّاسِ بِي يَوْمَ الْقِيَامَةِ أَكْثَرُهُمْ عَلَيَّ صَلاَةً». أَخْرَجَهُ التِّرْمِذِيُّ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

1598. Ibn Mas'ûd (RAA) narrated that the Messenger of Allâh ﷺ said, **"Those who are nearest to me on the Day of Resurrection are those who invoke many blessings on me."** Related by At-Tirmidhî and Ibn Hibbân graded it as Sahîh.

١٥٩٩ ــ وَعَنْ شَدَّادِ بْنِ أَوْسٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «سَيِّدُ الإِسْتِغْفَارِ أَنْ يَقُولَ الْعَبْدُ : اللَّهُمَّ أَنْتَ رَبِّي لاَ إِلَهَ إِلاَّ أَنْتَ خَلَقْتَنِي ، وَأَنَا عَبْدُكَ ، وَأَنَا عَلَى عَهْدِكَ وَوَعْدِكَ مَا اسْتَطَعْتُ ، أَعُوذُ بِكَ مِنْ شَرِّ مَا صَنَعْتُ ، أَبُوءُ لَكَ بِنِعْمَتِكَ عَلَيَّ وَأَبُوءُ لَكَ بِذَنْبِي فَاغْفِرْ لِي ، فَإِنَّهُ لاَ يَغْفِرُ الذُّنُوبَ إِلاَّ أَنْتَ». أَخْرَجَهُ الْبُخَارِيُّ .

1599. Shaddâd bin Aus (RAA) narrated that the Messenger of

Allâh ﷺ said, **"The best manner of asking for forgiveness is to say: "O Allâh! You are my Lord. None has the right to be worshipped except You. You created me and I am Your servant and I abide by Your covenant and promise as best I can. I seek refuge in You from the evil, which I have committed. I acknowledge Your favor upon me and I knowledge my sins, so forgive me, for verily none can forgive sin except You."** Related by Al-Bukhârî.

١٦٠٠ — وَعَنْ ابْنِ عُمَرَ – رَضِيَ اللَّهُ عَنْهُمَا – قَالَ : لَمْ يَكُنْ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَدَعُ هَؤُلاَءِ الْكَلِمَاتِ حِينَ يُمْسِي ، وَحِينَ يُصْبِحُ : «اللَّهُمَّ إِنِّي أَسْأَلُكَ الْعَافِيَةَ فِي دِينِي ، وَدُنْيَايَ ، وَأَهْلِي وَمَالِي ، اللَّهُمَّ اسْتُرْ عَوْرَاتِي ، وَآمِنْ رَوْعَاتِي ، وَاحْفَظْنِي مِنْ بَيْنِ يَدَيَّ ، وَمِنْ خَلْفِي ، وَعَنْ يَمِينِي ، وَعَنْ شِمَالِي ، وَمِنْ فَوْقِي ، وَأَعُوذُ بِعَظَمَتِكَ أَنْ أُغْتَالَ مِنْ تَحْتِي». أَخْرَجَهُ النَّسَائِيُّ ، وَابْنُ مَاجَهْ ، وَصَحَّحَهُ الْحَاكِمُ .

1600. Ibn 'Umar (RAA) narrated, 'The Messenger of Allâh ﷺ never failed to say these words in the morning and the evening: **"O Allâh! I ask You for pardon and well-being in my religious and worldly affairs, and my family and my wealth. 0 Allâh! Cover my weaknesses and set at ease my dismay. 0 Allâh! Preserve me from the front and from behind and on my right and on my left and from above, and I seek refuge with You lest I be swallowed up by the earth."** Related by An-Nasâ'î and Ibn Mâjah. Al-Hâkim graded it as *Sahîh*.

١٦٠١ — وَعَنْ ابْنِ عُمَرَ – رَضِيَ اللَّهُ عَنْهُمَا – قَالَ : كَانَ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ : «اللَّهُمَّ إِنِّي أَعُوذُ بِكَ مِنْ زَوَالِ نِعْمَتِكَ ، وَتَحَوُّلِ عَافِيَتِكَ ، وَفُجَاءَةِ نِقْمَتِكَ ، وَجَمِيعِ سَخَطِكَ». أَخْرَجَهُ مُسْلِمٌ .

1601. Ibn 'Umar (RAA) narrated, 'The Messenger of Allâh ﷺ used to supplicate saying, **"O Allâh! I seek refuge in You from the withholding of Your favor, the decline of the good health You have given, the suddenness of Your vengeance and from all forms of Your wrath."** Related by Muslim.

١٦٠٢ ـــ وَعَــنْ عَــبْدِاللهِ بْنِ عُمَرَ - رَضِيَ اللهُ عَنْهُمَا - قَالَ : كَانَ رَسُولُ اللهِ صَــلَّى اللهُ عَلَيْهِ وَسَلَّمَ يَقُولُ : «اللَّهُمَّ إِنِّي أَعُوذُ بِكَ مِنْ غَلَبَةِ الدَّيْنِ ، وَغَلَبَةِ الْعَدُوِّ ، وَشَمَاتَةِ الأَعْدَاءِ». رَوَاهُ النَّسَائِيُّ ، وَصَحَّحَهُ الْحَاكِمُ .

1602. Ibn 'Umar (RAA) narrated, 'The Messenger of Allâh ﷺ used to say, **"O Allâh! I seek refuge in You from the burden of debts and from being over-powered by men and from the gloating of enemies** (at an evil I am afflicted with)." Related by An-Nasâ'î and Al-Hâkim graded it as *Sahîh.*

١٦٠٣ ـــ وَعَــنْ بُرَيْدَةَ - رَضِيَ اللهُ عَنْهُ - قَالَ : سَمِعَ النَّبِيُّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ رَجُــلاً يَقُولُ : اللَّهُمَّ إِنِّي أَسْأَلُكَ بِأَنِّي أَشْهَدُ أَنَّكَ أَنْتَ اللهُ لاَ إِلهَ إِلاَّ أَنْتَ ، الأَحَدُ الصَّمَدُ ، الَّذِي لَمْ يَلِدْ ، وَلَمْ يُولَدْ ، وَلَمْ يَكُنْ لَهُ كُفُوًا أَحَدٌ ، فَقَالَ رَسُولُ اللهِ صَلَّى اللّــهُ عَلَــيْهِ وَسَلَّمَ : «لَقَدْ سَأَلَ اللهَ بِاسْمِهِ الَّذِي إِذَا سُئِلَ بِهِ أَعْطَى ، وَإِذَا دُعِيَ بِهِ أَجَابَ». أَخْرَجَهُ الأَرْبَعَةُ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

1603. Buraidah (RAA) narrated, 'The Messenger of Allâh ﷺ heard a man saying: 'O Allâh! I ask You by virtue that I testify that You are Allâh; there is no God but You, the one – the Self Sufficient Master, Who did not beget and was not begotten, and to Whom no one is equal.' Allâh's Messenger then said, **"He has asked Allâh by His Name by which when asked, He gives, and by which when supplicated, He answers."** Related by the four Imâms and Ibn Hibbân graded it as *Sahîh.*

١٦٠٤ ـــ وَعَــنْ أَبِي هُرَيْرَةَ - رَضِيَ اللهُ عَنْهُ - قَالَ : كَانَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ إِذَا أَصْبَحَ يَقُولُ : «اللَّهُمَّ بِكَ أَصْبَحْنَا ، وَبِكَ أَمْسَيْنَا ، وَبِكَ نَحْيَا ، وَبِكَ نَمُــوتُ ، وَإِلَــيْكَ النُّشُــورُ». وَإِذَا أَمْسَى قَالَ مِثْلَ ذَلِكَ ، إِلاَّ أَنَّهُ قَالَ : «وَإِلَيْكَ الْمَصِيرُ». أَخْرَجَهُ الأَرْبَعَةُ .

1604. Abû Hurairah (RAA) narrated, 'Allâh's Messenger ﷺ would say in the morning, **"O Allah! By Your leave we have reached the morning and by Your leave we have reached the evening. By Your leave we live and die. Unto You is our**

**resurrection."** In the evening, he would say the same except the last phrase: **"and to You do we return."** Related by the four Imâms.

١٦٠٥ ــ وَعَــنْ أَنَــسٍ قَالَ : كَانَ أَكْثَرُ دُعَاءِ رَسُولِ اللّٰهِ صَلَّى اللّٰهُ عَلَيْهِ وَسَلَّمَ : «رَبَّنَا آتِنَا فِي الدُّنْيَا حَسَنَةً ، وَفِي الآخِرَةِ حَسَنَةً ، وَقِنَا عَذَابَ النَّارِ». مُتَّفَقٌ عَلَيْهِ .

1605. Anas (RAA) narrated, 'The Messenger of Allâh ﷺ used to supplicate frequently: **"O our** Lord, grant us the best in this life and the best in the next life, and protect us from the punishment of the **Fire."** Agreed upon.

١٦٠٦ ــ وَعَــنْ أَبِي مُوسَى الأَشْعَرِيِّ - رَضِيَ اللّٰهُ عَنْهُ - قَالَ : كَانَ النَّبِيُّ صَلَّى اللّٰهُ عَلَيْهِ وَسَلَّمَ يَدْعُو : «اللَّهُمَّ اغْفِرْ لِي خَطِيئَتِي ، وَجَهْلِي وَإِسْرَافِي فِي أَمْرِي ، وَمَا أَنْــتَ أَعْلَمُ بِهِ مِنِّي ، اللَّهُمَّ اغْفِرْ لِي جَدِّي وَهَزْلِي ، وَخَطَئِي وَعَمْدِي ، وَكُلُّ ذَلِكَ عِــنْدِي ، اللَّهُمَّ اغْفِرْ لِي مَا قَدَّمْتُ وَمَا أَخَّرْتُ ، وَمَا أَسْرَرْتُ ، وَمَا أَعْلَنْتُ ، وَمَا أَنْــتَ أَعْلَمُ بِهِ مِنِّي ، أَنْتَ الْمُقَدِّمُ ، وَأَنْتَ الْمُؤَخِّرُ ، وَأَنْتَ عَلَى كُلِّ شَيْءٍ قَدِيرٌ». مُتَّفَقٌ عَلَيْهِ .

1606. Abû Mûsâ al-Ash´arî (RAA) narrated, 'The Messenger of Allâh ﷺ used to supplicate, **"O Allâh, forgive me my faults, my ignorance, my immoderation in my concern. And You are better aware (of my affairs) than myself. O Allâh, grant me forgiveness (of the faults which I committed) seriously or otherwise (and which I committed) inadvertently and deliberately. All these (failings) are in me. O Allâh, grant me forgiveness from the faults, which I did in haste or deferred, which I committed in privacy or in public and You are better aware (of them) than myself. You are the First and the Last and over all things You are Omnipotent."** Agreed upon.

١٦٠٧ ــ وَعَــنْ أَبِي هُرَيْرَةَ - رَضِيَ اللّٰهُ عَنْهُ - قَالَ : كَانَ رَسُولُ اللّٰهِ صَلَّى اللّٰهُ عَلَــيْهِ وَسَــلَّمَ يَقُولُ : «اللَّهُمَّ أَصْلِحْ لِي دِينِي الَّذِي هُوَ عِصْمَةُ أَمْرِي ، وَأَصْلِحْ لِي

دُنْيَايَ الَّتِي فِيهَا مَعَاشِي ، وَأَصْلِحْ لِي آخِرَتِي الَّتِي إِلَيْهَا مَعَادِي ، وَاجْعَلِ الْحَيَاةَ زِيَادَةً لِي فِي كُلِّ خَيْرٍ ، وَاجْعَلِ الْمَوْتَ رَاحَةً لِي مِنْ كُلِّ شَرٍّ». أَخْرَجَهُ مُسْلِمٌ .

1607. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ used to say, **"O Allâh! Set right for me my religion, which is the safeguard of my affairs. And set right for me the affairs of the world wherein is my living. Decree the Hereafter to be good for me. And make this life, for me, (a source) of abundance for every good and make my death (a source) of comfort to me and protection against every evil."** Related by Muslim.

١٦٠٨ ــ وَعَنْ أَنَسٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ : «اللَّهُمَّ انْفَعْنِي بِمَا عَلَّمْتَنِي ، وَعَلِّمْنِي مَا يَنْفَعُنِي ، وَارْزُقْنِي عِلْمًا يَنْفَعُنِي». رَوَاهُ النَّسَائِيُّ ، وَالْحَاكِمُ .

1608. Anas (RAA) narrated that the Messenger of Allâh ﷺ used to say, **"O Allâh! Grant me benefit in what You have taught me, and teach me useful knowledge and provide me with knowledge that will benefit me."** Related by An-Nasâ'î and Al-Hâkim.

١٦٠٩ ــ وَلِلتِّرْمِذِيِّ مِنْ حَدِيثِ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - نَحْوُهُ ، وَقَالَ فِي آخِرِهِ : «وَزِدْنِي عِلْماً ، الْحَمْدُ لِلَّهِ عَلَى كُلِّ حَالٍ ، وَأَعُوذُ بِاللَّهِ مِنْ حَالِ أَهْلِ النَّارِ». وَإِسْنَادُهُ حَسَنٌ .

1609. At-Tirmidhî reported a similar tradition on the authority of Abû Hurairah(RAA), he said at its end, **"And increase my knowledge. Praise be to Allâh in all circumstances. I seek refuge in Allâh from the state of those who will go to Hell."** Its chain of narrators is good.

١٦١٠ ــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَلَّمَهَا هَذَا الدُّعَاءَ : «اللَّهُمَّ إِنِّي أَسْأَلُكَ مِنَ الْخَيْرِ كُلِّهِ عَاجِلِهِ وَآجِلِهِ ، مَا عَلِمْتُ مِنْهُ وَمَا لَمْ أَعْلَمْ ، وَأَعُوذُ بِكَ مِنَ الشَّرِّ كُلِّهِ عَاجِلِهِ وَآجِلِهِ ، مَا عَلِمْتُ مِنْهُ وَمَا لَمْ أَعْلَمْ ،

اللَّهُــمَّ إِنِّي أَسْأَلُكَ مِنْ خَيْرِ مَا سَأَلَكَ عَبْدُكَ وَنَبِيُّكَ ، وَأَعُوذُ بِكَ مِنْ شَرِّ مَا عَاذَ مِنْهُ عَبْدُكَ وَنَبِيُّكَ ، اللَّهُمَّ إِنِّي أَسْأَلُكَ الْجَنَّةَ ، وَمَا قَرَّبَ إِلَيْهَا مِنْ قَوْلٍ أَوْ عَمَلٍ ، وَأَعُوذُ بِــكَ مِــنَ النَّارِ ، وَمَا قَرَّبَ إِلَيْهَا مِنْ قَوْلٍ أَوْ عَمَلٍ ، وَأَسْأَلُكَ أَنْ تَجْعَلَ كُلَّ قَضَاءٍ قَضَيْتَهُ لِي خَيْرًا». أَخْرَجَهُ ابْنُ مَاجَهْ ، وَصَحَّحَهُ ابْنُ حِبَّانَ ، وَالْحَاكِمُ .

1610. 'Â'ishah (RAA) narrated, 'Allâh's Messenger ﷺ taught her this supplication, **"O Allâh! I ask You of all good of what I have done and what I have not done in this world and in the Hereafter. I seek refuge in You from the evil of what I have done and what I have not done in this world and in the Hereafter. O Allâh! I ask of You all good that Your servant and Prophet Muhammad ﷺ used to ask of You. I seek refuge in You from all evil that Your servant and Prophet Muhammad used to seek refuge in You from. O Allâh! I ask You for Paradise and what brings me nearer to it of deeds and sayings. I seek refuge in You from Hell-Fire and what brings me near to it of deeds and sayings. I ask You for the good consequences of Your Decree."** Related by Ibn Mâjah Ibn Hibbân and Al-Hâkim graded it as *Sahîh*.

١٦١١ ــ وَأَخْــرَجَ الشَّيْخَانِ عَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «كَلِمَتَانِ حَبِيبَتَانِ إِلَى الرَّحْمَنِ ، خَفِيفَتَانِ عَلَى اللِّسَانِ ، ثَقِيلَتَانِ فِي الْمِيزَانِ : سُبْحَانَ اللَّهِ وَبِحَمْدِهِ ، سُبْحَانَ اللَّهِ الْعَظِيمِ».

1611. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, **"Two phrases which are dear to the Compassionate One and are light on the tongue but heavy in the scale are: "How perfect Allâh is and I praise Him; and How perfect Allâh is the Most Great."** Agreed upon.

تَمَّ بِحَمْدِ اللَّهِ

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